Annual Report
2008/09

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promoting and protecting public interests for 200 years

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Ombudsman

B.C.'s Independent Voice For Fairness

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Ombudsman
B.C.'s Independent Voice For Fairness

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The Honourable Bill Barisoff
Speaker of the Legislative Assembly
Parliament Buildings, Room 207
Victoria BC V8V 1X4

Dear Mr. Speaker:

It is my pleasure to present the Office of the Ombudsman's 2008/09 Annual Report to the Legislative Assembly.

This report covers the period April 1, 2008 to March 31, 2009 and has been prepared in accordance with section 31 (1) of the *Ombudsman Act*.

Yours sincerely,

Kim S. Carter

Kim S. Carter
Ombudsman
Province of British Columbia

October 2009

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From the Ombudsman

An Important Anniversary

This year the Ombudsman world celebrates its 200th anniversary. In 1809, the first Ombudsman office was established in Sweden. Since then, the Ombudsman concept and its unique process for resolving individual problems and improving public administration has spread to more than 100 countries around the world.

In 1809 the king of Sweden, who was the executive arm of government in his country at that time, was concerned that ordinary people might not be able to get their complaints about unfair or unreasonable treatment by government authorities through to him, because government bureaucracy was becoming too large. So he created the position of ombudsman.

The ombudsman was to be directly accessible to all the people, to identify when a person had not been treated fairly and reasonably by government authorities, to independently investigate situations and to seek a just resolution. If that was not achievable, the ombudsman had the authority to bring the problem directly to the king.

While the ombudsman concept has expanded and the process has become more diverse and complex over the past 200 years, at its heart it still has that same commitment to ensure that every individual is treated in a fair and reasonable manner by government authorities. There remains that same conviction that ensuring that people are treated fairly improves public administration, contributes to good governance, is in the public interest, and benefits every person in a democratic society.

Today in Canada there are provincial and territorial ombudsman offices in British Columbia, Alberta, Saskatchewan, Manitoba, Ontario, Quebec, New Brunswick, Nova Scotia, Newfoundland and Labrador, and the Yukon.[1] This year, in honour of this significant anniversary, we have joined together to promote Fairness Week in October. Fairness Week highlights the importance of fair treatment by public authorities to our country, our provinces and territories, and our communities. It is an opportunity to support those who speak up about unfair treatment as well as to acknowledge those who do everything they can to make sure each person is treated fairly. It celebrates the 200-year contribution of ombudsman offices to promoting and protecting public interests.

> *"Thank you so much for your assistance. I don't think I would have been able to do this in such a speedy time as you have managed to do…I will recommend the ombudsman's office to people who are feeling like the government is too complicated."*
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Our Role

The Office of the Ombudsman in British Columbia has a unique role. It exists to ensure that all people in British Columbia are treated fairly and reasonably by public authorities. It is also responsible for general oversight of the administrative actions of government authorities and for strengthening the democratic principles of openness, transparency and accountability in government administration.[2] Our office is independent of government and conducts impartial, confidential investigations, consults to seek fair resolutions, makes findings and recommendations, and issues reports. We respond to individual complaints of administrative unfairness and also initiate systemic investigations. The ombudsman is responsible to the legislative assembly and may comment publicly on matters relating to the ombudsman's role or on particular cases investigated by the ombudsman's office.

Unfair treatment includes unlawful, unjust, oppressive, discriminatory, unreasonable, arbitrary, negligent or improper decisions, recommendations, actions or policies.

Our Mandate

Under the authority of the *Ombudsman Act*, the ombudsman's office can investigate complaints of unfair treatment involving any of the more than 2,800 public agencies in the Province of British Columbia that fall within our jurisdiction. The ombudsman has the authority to investigate any matter of administration involving a public authority within its jurisdiction. A matter of administration includes everything done by a public authority in the implementation of government policies. It does not, however, include activities of the legislative assembly or the courts.[3]

When our office identifies unfair treatment, we work in a consultative manner to seek a fair resolution. In addition to resolving individual problems, we are always looking to remedy any underlying deficiencies in administrative processes, so that the same problems do not recur.

"The Office of the Ombudsman provides people like me with a voice that is otherwise frustrated by bureaucracy. I hope you each take great satisfaction in a job well done."

From a thank-you letter sent to us in 2008/09

The persuasive power of the ombudsman's office comes from its careful and impartial investigations, which, if a fair resolution cannot be obtained, lead to well-grounded findings and thoughtful, useful recommendations. Especially for those who lack the resources to challenge the fairness of the government's administrative decisions in court, our office provides an important recourse and potential avenue for obtaining justice.

---

[2] *Report of the Special Committee to Appoint an Ombudsman*, Legislative Assembly of British Columbia, second session, 38th Parliament, April 26, 2006, page 1.

[3] *British Columbia Development Corporation v. British Columbia (Ombudsman)* [1984] 2 S.C.R. 447 at 463.

Our Process

Normally people who come to the ombudsman's office with a complaint have already tried to resolve their problem with the public authority they are complaining about. If they are not aware of, or have not used, available internal resolution procedures, our staff can refer them to those processes. Once our office is engaged, we open a file. If it appears the nature of the complaint (for example, unreasonable delay or inadequate reasons for a decision) is suitable for our early resolution process, we will offer that option to the person making the complaint.

"I would also like to acknowledge to your office my interview with [staff member] ...This fellow was very professional and treated me with the utmost respect regarding my complicated WCB claims. I was sincerely grateful I had the chance to meet with a man with such character. Your office is represented well."

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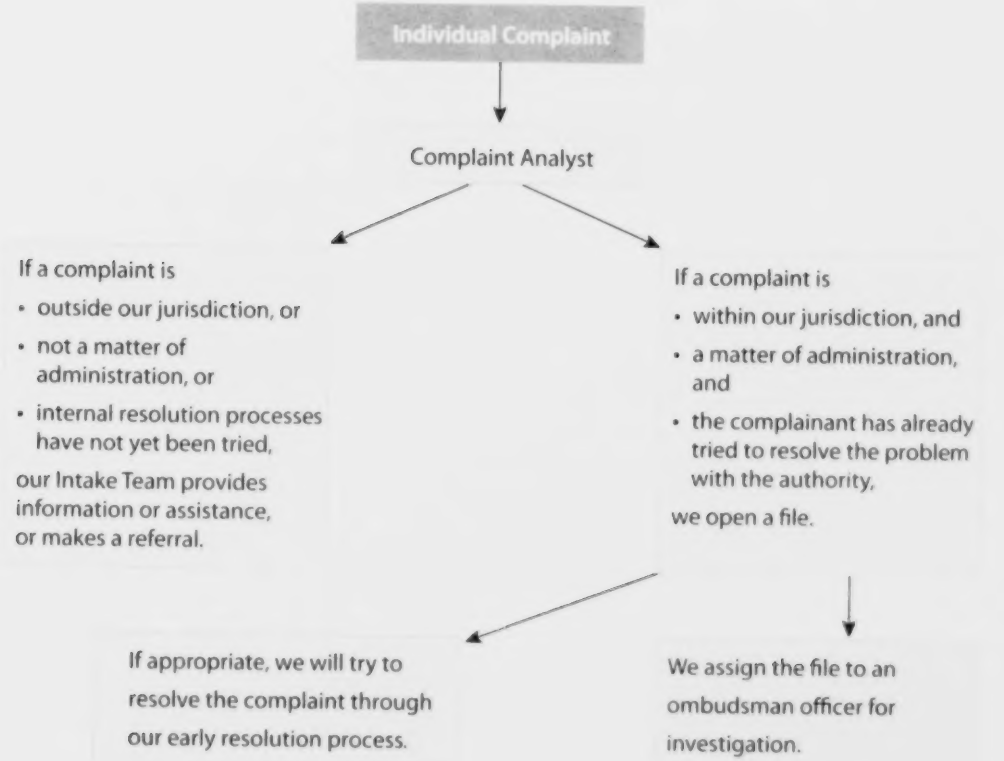
If the early resolution process is not appropriate due to the nature or complexity of the matter, or if that process is not successful, then we will assign the matter for investigation to an ombudsman officer working on one of our three investigative teams.

What Happens When Someone Contacts Our Office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Complaint Analyst
If a complaint is
• outside our jurisdiction, or
• not a matter of administration, or
• internal resolution processes have not yet been tried,
our Intake Team provides information or assistance, or makes a referral.
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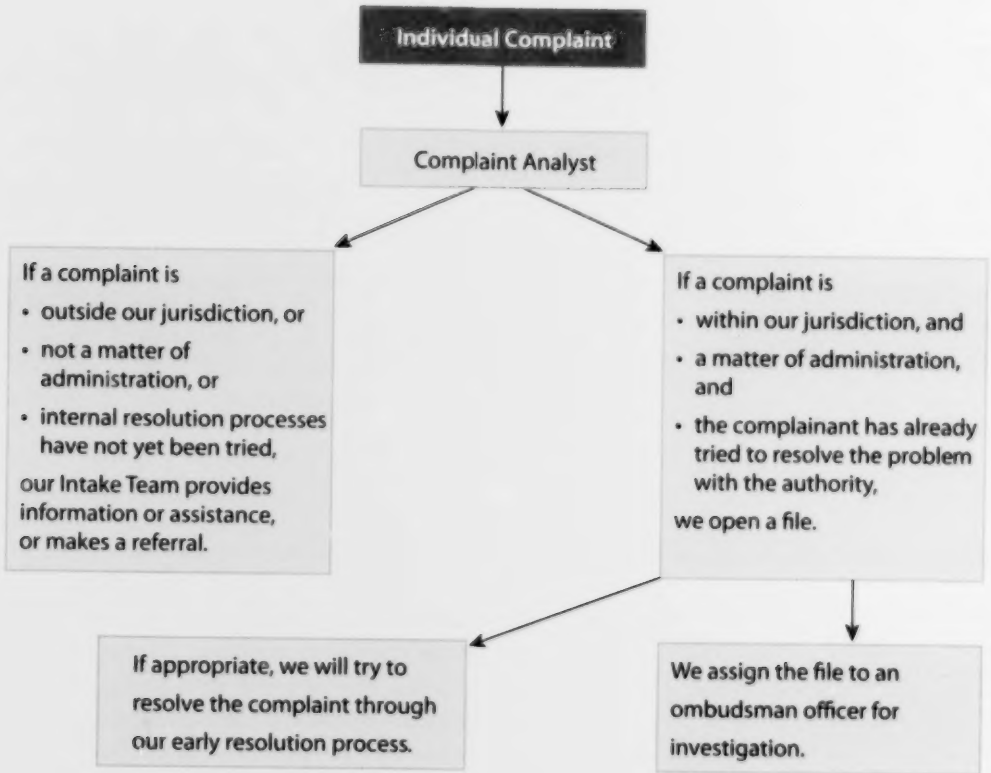
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Our Organization

> *"Thank you for all your hard work and for such a positive outcome."*
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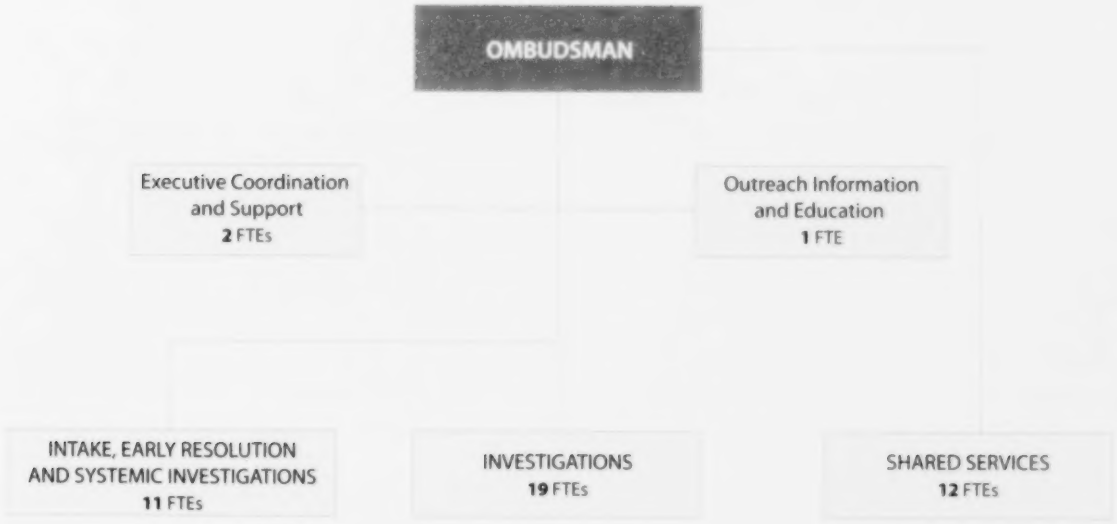
> *From a thank-you letter sent to us in 2008/09*

We are a small, lean and nimble organization divided into three focussed but interconnected "lines of business": intake and early resolution, investigations, and systemic investigations. Another vitally important component of our organization is shared services. Shared services provides business planning, financial services, facilities management, human resources and IT support to four independent offices of the legislature: the Office of the Ombudsman, the Office of the Information and Privacy Commissioner, the Office of the Police Complaint Commissioner and the Office of the Merit Commissioner.

Organizational Chart



The Fiscal Year (April 1, 2008 to March 31, 2009) in Review

In 2008/09 we continued to see an increase in our intake numbers, which were up 19 per cent from the previous 12 months (to 7,948 from 6,699 in 2007/08). The number of files assigned to ombudsman officers also increased from 1,984 in 2007/08 to 2,269 in 2008/09, an increase of 14 per cent. In order to deal with this continued increase and improve service delivery, we instituted two major changes to our processes.

The first was the establishment in September 2008 of an early resolution process within our Intake Team. This process was the result of a successful trial project conducted in the previous year. It involved a re-organization of the Intake Team and the addition of one full-time equivalent (FTE) to that team. The early resolution process focuses on files that previously would have been sent for investigation by an ombudsman officer, but which our experience led us to believe could be resolved more expeditiously with a streamlined process. It has proved highly successful, with both complainants and authorities expressing their satisfaction. In its first seven months of operation, it diverted 135 files from the caseload of ombudsman officers. If we had not implemented the early resolution process, the number of files assigned to ombudsman officers in 2008/2009 would have been much higher.

> *"Early resolution is fabulous!"*
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> *Comment made by a person who complained to us in 2008/09*

The second change we instituted was to restructure our investigative teams by moving from two to three teams. This allows each team to deal with a narrower range of authorities so individual ombudsman officers can develop a greater depth of knowledge about those authorities and their procedures. This also allows us to conduct investigations more efficiently and quickly. The three teams are the Social Programs Team, the Health and Local Services Team and the Regulatory Programs Team.

As part of our outreach activities, and as a reflection of our commitment to serve all of British Columbia, we continued our provincial tour program. We opened the "ombudsman's office for the day" in communities ranging from Quesnel to Ucluelet, meeting face-to-face with people who had complaints and speaking with authorities, service clubs and community groups about the requirements of administrative fairness and the role of our office. Our mobile intake program also provided direct access to communities in the Lower Mainland and on Vancouver Island.

In addition, we completed two systemic investigations during the year – one into drinking water safety and the other into the provincial income assistance program.

Assessing Our Performance

For the past 10 years we have provided a detailed statistical overview of our work in our annual report. This information supplements the examples of our work set out in the case summary section of our annual reports and in our systemic reports. Looked at together, these statistics allow an ongoing evaluation of our resources, our capacity and our performance. As well, each annual report sets out an assessment of the risks and challenges we face and the

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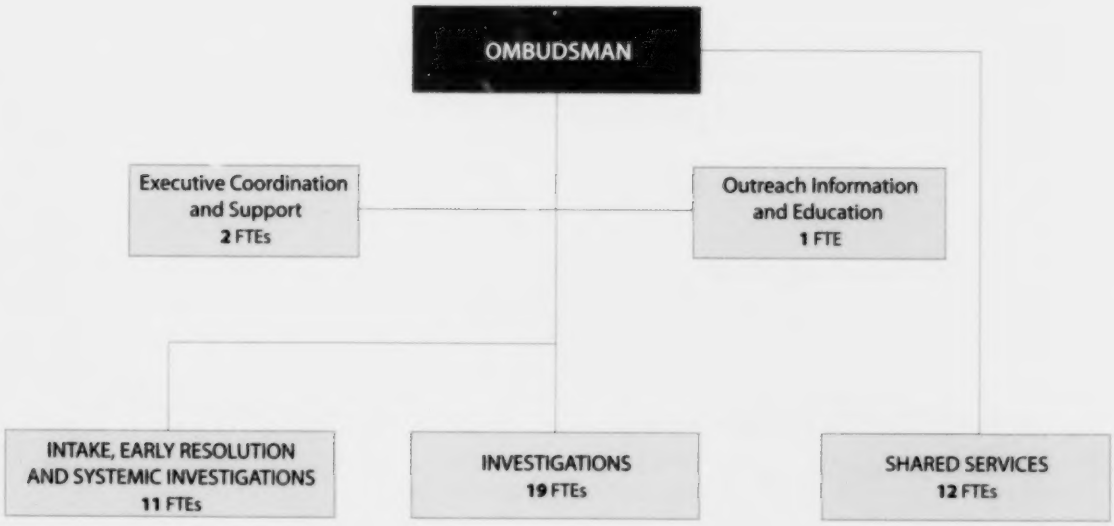

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strategies that we have employed to mitigate those risks. This information is also supported by our annual budget submission to the Select Standing Committee on Finance and Government Services, which is posted on our website at www.ombudsman.bc.ca.

Looking back over the last 10 years, we see that between 1999 and 2002, we were an office with 50 FTEs and a budget of approximately $4.7 million (as of 2001/2002). The period between 2002 and 2005 was one of reduced resources for the office, which contracted to 30 full-time equivalents (FTEs) at its lowest point, and a budget of $3,118,000 in 2004/2005. To cope with this resource reduction, the office did not exercise its mandate in the areas of local government, health authorities and hospitals, schools and school boards and professional associations. Concurrently the office moved to maximize efficiencies through a shared services model for the provision of all business planning, financial, administrative, facilities, human resource and IT services.

The year 2006 marked the termination of that period of contraction. By the end of 2006, we were again able to exercise our full mandate in all the areas that fell within our jurisdiction. Perhaps not surprisingly, it took another 12 to 18 months combined with the approval for the addition of one FTE for outreach, information and education, to re-establish an understanding of our role and mandate across the province, which led to a rebound in activity in these areas.

One area where our personnel resources have not expanded since 2006 is the number of ombudsman officers working on individual files. As the number of files to be investigated increased, individual caseloads have also risen. While ombudsman officers work very hard, their ability to complete investigations in a timely manner has been adversely affected by the demands of increased caseload management. This is reflected in the significant increase in the number of files open at the end of 2008/09 (934), which is nearly double that at the end of the previous year (471). In addition, the percentage of files closed by investigative teams within 90 days has been declining since 2006. In 2006, it was 66 per cent, in 2007/2008 it was 62 per cent, and in 2008/09 it was 59 per cent.

Although we are not meeting our performance objective of closing 70 per cent of our investigation files within 90 days, we are continuing to meet our target of closing 90 per cent within one year.

While we continue to be able to resolve some complaints in a very timely manner, our overall ability to do this has been declining as a result of the continuing increase in demand for our services. This is where our office currently faces the greatest challenge.

Statistical Overview

Although statistical information is set out in detail at pages 62 to 83 of this annual report, it is often useful to provide a short overview.

Our office dealt with a total of 7,948 intakes in 2008/09. We received approximately 77 per cent of these by phone, and the rest by mail, through our online complaint form, or in person. The public can

"I'm grateful for this service you offer, and for the interest and respect [staff member] showed me. If any of my pensioner friends have this problem in future, I'll recommend your office and [staff member] to them."

From a thank-you letter sent to us in 2008/09

From

make complaints in person at our Victoria office, through one of our mobile intake clinics, which we hold regularly on Vancouver Island and in the Lower Mainland, or on one of our outreach tours to different parts of the province. The use of our online complaint form has increased substantially over the past three years and now accounts for approximately nine per cent of our intakes.

As in previous years, the Lower Mainland continues to be proportionately under-represented in contacts with our office. While this region has 59 per cent of the province's population, only 41 per cent of our enquiries, requests for assistance and complaints originate there. We continue to seek out innovative ways to address this gap and make our office more accessible to those who live in that part of our province.

During the fiscal year, 5,250 files were opened. Of this total, 2,989 were closed by complaints analysts or early resolution officers, and ombudsman officers closed 1,812 . In addition, another 2,698 requests for information or assistance were handled by our Intake Team.

In 2008/09, this is how the files we opened and closed compared. Figures for 2007/08 are shown in brackets.

Authority	Files Opened, 2008/09 (2007/08)	Files Closed, 2008/09 (2007/08)
Ministries	52% (53%)	55% (53%)
Commissions and Boards	14% (16%)	15% (16%)
Crown Corporations	9% (11%)	9% (11%)
Local Government	9% (8%)	9% (9%)
Health Authorities	12% (6%)	8% (5%)
Professional Associations	2% (3%)	2% (3%)
Schools and Boards of Education	1% (2%)	1% (2%)

Between April 1, 2008, and March 31, 2009, approximately 56 per cent of the issues we investigated were settled under section 14 of the *Ombudsman Act*, while approximately 44 per cent were not substantiated.

"I only wish that most people with whom I deal could display the outstanding competence that [staff member] so clearly demonstrated, and I ask you to take note of that. Thank you very much for the services of your office, without it there would be no one else to whom we might turn when a wrong of officialdom is perceived."

From a thank-you letter sent to us in 2008/09

Jurisdiction

Our jurisdiction remained the same during this reporting period. The range of public authorities within our jurisdiction continues to be one of the widest of any provincial ombudsman office in Canada. The *Ombudsman Act* allows us to investigate complaints about provincial ministries, commissions, boards and corporations, health authorities and hospitals, schools and school districts, colleges and universities,

strategies that we have employed to mitigate those risks. This information is also supported by our annual budget submission to the Select Standing Committee on Finance and Government Services, which is posted on our website at www.ombudsman.bc.ca.

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make complaints in person at our Victoria office, through one of our mobile intake clinics, which we hold regularly on Vancouver Island and in the Lower Mainland, or on one of our outreach tours to different parts of the province. The use of our online complaint form has increased substantially over the past three years and now accounts for approximately nine per cent of our intakes.

As in previous years, the Lower Mainland continues to be proportionately under-represented in contacts with our office. While this region has 59 per cent of the province's population, only 41 per cent of our enquiries, requests for assistance and complaints originate there. We continue to seek out innovative ways to address this gap and make our office more accessible to those who live in that part of our province.

During the fiscal year, 5,250 files were opened. Of this total, 2,989 were closed by complaints analysts or early resolution officers, and ombudsman officers closed 1,812 . In addition, another 2,698 requests for information or assistance were handled by our Intake Team.

In 2008/09, this is how the files we opened and closed compared. Figures for 2007/08 are shown in brackets.

Authority	Files Opened, 2008/09 (2007/08)	Files Closed, 2008/09 (2007/08)
Ministries	52% (53%)	55% (53%)
Commissions and Boards	14% (16%)	15% (16%)
Crown Corporations	9% (11%)	9% (11%)
Local Government	9% (8%)	9% (9%)
Health Authorities	12% (6%)	8% (5%)
Professional Associations	2% (3%)	2% (3%)
Schools and Boards of Education	1% (2%)	1% (2%)

Between April 1, 2008, and March 31, 2009, approximately 56 per cent of the issues we investigated were settled under section 14 of the *Ombudsman Act*, while approximately 44 per cent were not substantiated.

"I only wish that most people with whom I deal could display the outstanding competence that [staff member] so clearly demonstrated, and I ask you to take note of that. Thank you very much for the services of your office, without it there would be no one else to whom we might turn when a wrong of officialdom is perceived."

From a thank-you letter sent to us in 2008/09

Jurisdiction

Our jurisdiction remained the same during this reporting period. The range of public authorities within our jurisdiction continues to be one of the widest of any provincial ombudsman office in Canada. The *Ombudsman Act* allows us to investigate complaints about provincial ministries, commissions, boards and corporations, health authorities and hospitals, schools and school districts, colleges and universities,

regional and municipal governments, public libraries, and self-regulating professional bodies such as the College of Physicians and Surgeons. In total, approximately 2,800 public authorities fall within the jurisdiction of our office.

People also contact us about various authorities over which we have no jurisdiction, such as banks (which are within federal jurisdiction), municipal police and the Royal Canadian Mounted Police (who fall within the jurisdiction of the Office of the Police Complaint Commissioner or the Commission for Public Complaints Against the RCMP), the BC Ferry Corporation and home and property insurance (a private matter that does not involve a public authority). As the 2010 Olympics approaches, it is timely to mention that our jurisdiction does not extend to the Vancouver Organizing Committee for the 2010 Olympic and Paralympic Winter Games (VANOC). When people contact us about any of these non-jurisdictional organizations, whenever possible we refer them to other sources of assistance.

Outreach

Following is a representative list of the outreach activities our office undertook in 2008/09. It does not include meetings and consultations held as part of our systemic investigations into drinking water safety, income assistance programs or seniors' care.

We asked several people involved in housing issues to come talk to our staff about this area of our work. From left to right: Debra Barby, Director, Business Support Services for BC Housing, Russ Godfrey, Tenant Advocate, Tenant Resource and Advisory Centre, Kim Carter, BC Ombudsman, Judith Dyrland, Director, Corporate Policy and Program Integration for the Residential Tenancy Branch, and Al Kemp, CEO, Rental Owners and Managers Society of BC.

Ombudsman Tours 2008/09

The Cariboo

Prince George, Quesnel, 100 Mile House, Williams Lake

Vancouver Island

Nanaimo, Parksville, Port Alberni, Tofino, Ucluelet

Would you like someone from the Ombudsman's office to speak to your organization?

E-mail the details of your request to presentations@ombudsman.bc.ca or call 250-387-5855.

Outreach to Authorities

Ministries

Ministry of Aboriginal Relations and Reconciliation

Ministry of Advanced Education and Labour Market Development

Ministry of Attorney General

Gaming Policy and Enforcement Branch, Ministry of Housing and Social Development

Investigation and Standards Office, Ministry of Public Safety and Solicitor General

Youth Justice Program, Ministry of Children and Family Development

Local governments

City of Nanaimo

City of Port Alberni

City of Prince George

City of Quesnel

City of Williams Lake

District of 100 Mile House

District of Tofino

District of Ucluelet

Regional District of Alberni-Clayoquot

Commissions and Boards

BC Utilities Commission

Forest Practices Board

Patient Care Quality Review Board

Crown Corporations

BC Lottery Corporation

BC Hydro

Community Living BC

ICBC

School Districts, Universities and Colleges

School District 27 (Cariboo-Chilcotin)

School District 28 (Quesnel)

School District 70 (Alberni)

School District 68 (Nanaimo-Ladysmith)

School District 69 (Qualicum)

Political Science 151, The Administration of Justice, Simon Fraser University

Justice 406, Royal Roads University

Administrative Law 301, University of Victoria

University of Northern British Columbia

Others

Burnaby Youth Custody Services Centre

Business Practices and Consumer Protection Authority

Nanaimo Correctional Centre

Office of the Superintendent of Motor Vehicles

Prince George Youth Custody Services Centre

Victoria Youth Custody Services Centre

Outreach to Non-profit Groups and Other Organizations

Active Support Against Poverty, Prince George
Alberni Valley Citizen Advocacy Society
Alberta Gaming Institute Conference
BC Corrections Branch Health Care Conference
BC Legislative Interns
BC Non-Profit Housing Association Conference
Canadian Conference on Elder Law
Cariboo Family Enrichment Centre
Child Health in BC forum
Constituency Assistants Conference, BC Liberal Caucus
Elder College, Chilliwack
John Howard Society, Nanaimo
Nanaimo Citizen Advocacy Association
Pacific Rim Seniors Care Society, Tofino
Prince George Council of Seniors
Probus Club, Brentwood Bay
Quesnel Senior Centre Association
Quesnel Women's Resource Centre
Royal Canadian Legion, Clayoquot Branch
Society of Organized Services, Parksville
The Law Centre, Victoria
Westcoast Resources Society, Ucluelet
Williams Lake Seniors Advisory Council
Xyolhemeylh Child and Family Services

First Nations Invitation

In June 2008, we were honoured to be invited by the chief and council of the Tsawwassen First Nation to share with them our experiences and knowledge of administrative fairness, as part of their journey toward self-government.

Systemic Investigations and Reports

Our systemic investigations are key in fulfilling our role of generally overseeing the administrative actions of government. They focus on improving administration on a program-wide basis, with a focus on increasing openness, transparency and accountability. Our office was very busy with systemic investigations in 2008/09, both in terms of actual investigations, and in making some changes to how we conduct them. In December 2007, the Select Standing Committee on Finance and Government Services recommended a small increase in funding, which enabled us to hire a manager of systemic investigations. This meant that we have been able to focus more time and resources on this type of in-depth and complex investigative work.

We released two systemic reports during 2008/09: One was about drinking water safety and the other about the income assistance program. In August 2008, we launched a systemic investigation into seniors' care that generated an unprecedented public response. This investigation is ongoing.

From the Ombudsman

Special Report No. 32 — Fit to Drink: Challenges in Providing Safe Drinking Water in British Columbia

On June 18, 2008, we issued a report aimed at improving the processes that ensure British Columbia's drinking water is safe. The systemic investigation that preceded this report began in November 2007, after our office had received complaints about drinking water from across the province. It was a complex and time-consuming investigation, involving multiple authorities. The authorities we investigated were the then Ministry of Health, the Ministry of Environment, the Office of the Provincial Health Officer and the five regional health authorities.

Our report emphasizes the challenges faced by operators of small water systems, as well as complaints processes, public notice of safety issues, and the use and collection of information about drinking water.

Our report, entitled *Fit to Drink: Challenges in Providing Safe Drinking Water in British Columbia*, contains 39 recommendations addressed to the ministries, the regional health authorities and the Office of the Public Health Officer. The authorities agreed to implement all of them. Our key recommendations were:

- that a province-wide standard for issuing turbidity advisories be established;
- that the regional health authorities develop better systems for receiving and responding to complaints about drinking water;
- that the regional health authorities provide more publicly available information about drinking water systems on their websites;
- that the health authorities increase their efforts to identify and regulate small water systems; and
- that the Ministry of Health and the regional health authorities work together to reduce the number of boil water advisories in effect by 10 per cent per year.

Implementation of the recommendations is ongoing.

Public Report No. 45 — Last Resort: Improving Fairness and Accountability in British Columbia's Income Assistance Program

Our second systemic report of this reporting year was on the provincial income assistance program. Issued on March 23, 2009, *Last Resort: Improving Fairness and Accountability in British Columbia's Income Assistance Program*, contains 28 recommendations. All but one of these were accepted by the Ministry of Housing and Social Development.

The release of this report seemed especially timely, in view of the economic downturn in our province at that time, which continues to affect many people in British Columbia today.

One recommendation that has already been implemented, was that people who have already been actively looking for work for at least three weeks directly prior to applying for income assistance no longer have to conduct a further

> *"By completing such a thorough investigation and making so many across-the-board recommendations, the Ombudsman has taken our concerns very seriously."*
>
> *Sarah Khan, Staff Counsel, BC Public Interest Advocacy Centre, March 23, 2009*

three-week work search before the ministry will even assess their eligibility for income assistance. This means, for example, that people whose federal employment insurance benefits run out, and who can demonstrate that they have already met the ministry's requirement to actively look for work, can now have their eligibility for income assistance assessed right away instead of first having to wait and look for work for an additional three weeks.

"B.C. Ombudsman Kim Carter has spoken out on behalf of people in need and to the delight of anti-poverty groups throughout the province, Victoria is listening."

Salmon Arm Observer, March 24, 2009

The ministry also agreed to make several changes that will enhance the overall transparency and accountability of income assistance programs, such as tracking how many applications it receives, approves and denies, and what happens to people who discontinue their income assistance applications.

The one recommendation the government did not accept was to compensate people who were adversely affected by its delayed enactment of a regulatory amendment that affected the dates on which appealed decisions could be implemented. This is regrettable, since the ministry's figures show that at least 400 people were deprived of additional benefits that they would have been entitled to, had the amendment been put in place in a timely manner.

Implementation of the recommendations is ongoing.

Implementation of Recommendations Made in Special Report No. 31 — Winning Fair and Square: A Report on the British Columbia Lottery Corporation's Prize Payout Process

We released this report on May 29, 2007, after a five-month investigation that was prompted by serious questions raised about the seemingly high rates of wins by retailers and employees of the British Columbia Lottery Corporation (BCLC). BCLC accepted all of the 23 recommendations we directed toward it, and the Gaming Policy and Enforcement Branch, in the Ministry of the Solicitor General, accepted all four recommendations we made to it as well.

Since the release of this report, we have monitored the implementation of our recommendations by BCLC and GPEB. With the exception of two recommendations to BCLC that it is still working on, all have been put into practice. BCLC posts updates on the implementation of our recommendations on a section of its website created for this purpose. These can be found at http://www.bclc.com/cm/aboutbclc/playerfirst/bcombudsman.htm.

New Systemic Investigation Launched: Seniors' Care

On August 21, 2008, our office launched a systemic investigation into seniors' care, which is ongoing. We are investigating processes related to home support, assisted living and residential care. The Ombudsman initiated this investigation after meeting with seniors groups about their concerns, and in response to numerous complaints about seniors' care made to our office.

From the Ombudsman

We have received more than 600 responses to the questionnaire we posted on our website, spoken to more than 300 people by phone and opened more than 200 individual complaint files. Concerns we've heard have ranged from issues of food quality to inadequate personal care and facility closure processes. The broad issues being investigated include access to services, funding, complaints processes, standards of care, monitoring and enforcement of those standards and facility closures. We are also looking at how information about seniors' care services is provided to the public.

> *"Ombudsman Kim Carter's decision to investigate the way seniors are cared for in B.C. is gratifying news for all British Columbians."*
>
> *Editorial, Nanaimo Daily News, August 27, 2008*

This investigation involves multiple public authorities, including the five regional health authorities, the Ministry of Health Services and the Ministry of Healthy Living and Sport. The issues are tremendously complex, and affect people who are often very vulnerable. As such, we have taken the time to consult broadly with advocacy groups, operator and employer associations, unions, family councils, care providers, private consultants and academics. We received numerous written submissions and held meetings with more than 40 organizations and professionals in different disciplines, from across the province. The systemic investigation team has to date visited 49 residential care and assisted living facilities across the province (approximately 10 in each health authority). The team toured facilities in rural, suburban and urban areas, and facilities that were owned and operated by both public, non-profit agencies, and private, for-profit entities. These facilities included ones that offered complex care, special care, transitional care, palliative care, acute care and assisted living services.

Looking Ahead

The 2008/09 period was one in which the excellent progress we have made since 2006 in areas such as outreach and systemic investigations led to a steady increase in our intakes and caseload. While this has had the positive result of allowing us to assist more people and public authorities to resolve problems and improve public administration, it has also created challenges. We are now working to try to manage the results that the success of those initiatives has brought. While the innovative new processes and internal re-organization we have introduced has temporarily reduced or redirected some of the pressures, it is clear our greatest challenge over the next year will be to find a way to continue to deliver timely and quality service to the people of British Columbia. We are striving to continue to be the standard-bearer and the model for the administrative fairness that we look for in others.

The upcoming 30th anniversary of our office highlights the enduring value of a non-partisan, non-adversarial, resolution-oriented organization devoted to improving administrative fairness and public administration. What is perhaps most unusual is that the Ombudsman starting point for action and improvement is not broad theory or policy, but that critical, continual, day-to-day interaction between government authority and the individual. It is the ultimate bottom-up approach. We believe that when individual situations of unfairness are identified and remedied, problems do not become crises. Our work results in more prevention and less cure, which makes British Columbia a better place to live, work, raise a family and grow old. In 2009, these goals continue to motivate and inspire all of us who work in the ombudsman community.

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Case Summaries – Introduction

People who are unfamiliar with the Office of the Ombudsman often ask what it is that we actually do, who complains to us, and what they complain about. This next section of our report is meant to answer those questions. While we conduct our investigations of individual complaints confidentially, we are here to serve the public, and we can't do that unless the public understands something about our role. Sharing some examples of our work is one of the ways we can both reach the public, and promote greater understanding of administrative fairness.[4]

> *"All has been successfully resolved. Thank goodness for the democratic process. All hail the Ombudsman's Office. I'd like to say an especial "thank you" to you, [staff member], for orchestrating everything in such an efficient and a competent manner."*
>
> *From a thank-you letter sent to us in 2008/09*

This year our report includes examples of our work with our new early resolution process. We established this process in September 2008 in order to deal swiftly and effectively with complaints that we believed could be resolved without a formal investigation. These complaints usually involve issues such as delay, poor communication, lack of information, or the lack of an explanation for a decision or action. The new process has been very successful.

Government touches all aspects of our lives, from the birth of our children, to our care in old age, to the education, work and play we pursue in between. Because public programs have such a diverse impact on our lives, we get a wide range of complaints about them. In the following pages, there are, among many other examples, stories of parents concerned about their children's education, homeowners concerned about their properties, students concerned about their future careers, income assistance recipients concerned about their rights, drivers concerned about their insurance, injured workers concerned about their rehabilitation programs and seniors concerned about their health.

We believe those who bring forward their concerns — who complain — are doing a service, both to those who come after them and to the agency they are dealing with. When a process is fixed or improved as result of a complaint, the system works more smoothly for those who use it, and those who run it. We also see a willingness to complain as evidence of a healthy and functional relationship between the public and government. After all, it's only people who are confident enough to expect fair treatment who will complain when they think they're not getting it.

Equally important, as you will see in the case summaries that follow, is that we also find that authorities have acted fairly and reasonably. This aspect of our work is just as crucial as the investigations that result in changes in policy or practice. It can act as a reassurance to both the complainant and the public authority when an independent and impartial third party thoroughly reviews a matter and concludes that no unfairness has occurred. Our role is to be advocates not for one side over another, but to advocate for administrative fairness for everyone.

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[4] We have changed the names of the people in the following examples to protect their confidentiality. In many cases we have identified the complaint as originating from one of four broad regions: the Lower Mainland, which includes Greater Vancouver, the Fraser Valley as far as Hope, and the Squamish area; Vancouver Island/Sunshine Coast, which also includes the Gulf Islands; Northern B.C., which includes Prince George and everything north of it; and the Interior, which includes everything south of Prince George, except for the Lower Mainland.

Case Summaries – Early Resolution

Early Resolution in Action

The Office of the Ombudsman's early resolution process began operating in September 2008. These are some of the resolutions obtained in the first seven months of operation. These summaries demonstrate the effectiveness of our staff's communication and their ability to persuade public authorities to swiftly take appropriate remedial action. They also highlight the importance of an authority being willing to reconsider a matter.

Long-standing debt problem fixed

Health Insurance BC/Revenue Services of BC

Dennis contacted us after he had been trying for seven months to resolve his debt problems with Health Insurance BC (HIBC).

Dennis and his wife were living in Asia, and the time difference made it difficult for him to contact HIBC directly. We contacted HIBC to explain the difficulties that Dennis was having and arranged for someone to call him at a time that worked for him. HIBC staff called us the next day to say they had now been in touch with Dennis and had resolved the question of how much he owed. His debt turned out to be only about $50, not the almost $700 that HIBC had previously told him.

Dennis then wanted to know how he could pay the debt. We directed him to Revenue Services of BC (RSBC), which was the provincial government agency responsible for collection of his debt. Since he was so far away, we helped Dennis to contact RSBC. We explained Dennis's situation to RSBC staff and asked that they contact him at a specific time. Dennis later let us know that he had paid his debt and his problems were resolved. He was very appreciative that our office had helped him quickly fix a problem he'd had for so long.

Application processed quickly after call

Ministry of Housing and Social Development

Franz wondered why it was taking so long for the Ministry of Housing and Social Development to tell him whether he could get some extra money to buy work clothing. Franz said he had tried contacting his local supervisor, but was only able to leave a message, and the receptionist could not say whether the supervisor was even in the office.

We contacted the ministry that same day at 11 a.m. to explain Franz's concerns and ask the supervisor to contact him directly. The supervisor called us back two hours later to say that he had called Franz, and that his application for assistance with work clothes had been processed.

Help for grieving father looking for autopsy answers
Interior Health Authority

Ely wrote to us because he had not been able to get any answers regarding his daughter's autopsy.

It had been three years since Ely's daughter died, but he had not yet received any information about her cause of death. He explained that he and his wife wanted the peace of mind they thought the autopsy results would bring. Ely had written to the pathologist at the hospital, but received no response.

We contacted the patient care quality officer at the Interior Health Authority and explained Ely's concerns. The officer agreed to contact him to discuss the Pathology Department's lack of response. The officer later confirmed that Ely had been contacted and assured that his daughter's specimen had been sent to Vancouver for diagnosis. The officer had apologized for the delay and told Ely that she would continue to monitor the process and contact him as soon as the results were sent from Vancouver.

Telephone mix-up untangled
Family Maintenance Enforcement Program

David, a single father of three, contacted our office after the Family Maintenance Enforcement Program (FMEP) cancelled his driver's licence for not paying his child support arrears. David said his payments were current and that he had tried to speak to FMEP's regional manager about the misunderstanding, but his calls were not returned. David was very concerned about his licence because as a single parent, he needed to be able to drive his children around.

We called the FMEP's regional manager and asked him to contact David. The regional manager said he had no record of David leaving messages for him, but agreed to have a manager call immediately.

We checked with David the next day and he confirmed that a manager had been in touch with him. The manager had explained to David that he had been using an incorrect telephone number, and so the regional manager hadn't received his messages. David said that he now had the correct number and had arranged to fax documents that he hoped would resolve his concerns. David thanked us for getting him such a quick response.

Year-long wait for CareCard ended
Health Insurance BC

Daniel and Frances contacted us because they had been waiting a long time for a CareCard for their adopted son. They had sent all the necessary paperwork, as had their lawyer, and then spent many hours on the telephone trying to address the problem.

We contacted Health Insurance BC (HIBC), which is the agency that administers the Medical Services Plan, including the issuing of CareCards. HIBC agreed to contact Daniel and Frances immediately. When we called Frances back later that morning, she confirmed that HIBC had contacted her, apologized to her for

the delay and provided her with a CareCard number for her son over the telephone. She was thrilled that we were able to immediately resolve a problem that she and her husband had been dealing with for more than a year.

Relief comes after stressful wait for cheque
Ministry of Community Development

Ford called us to complain that he had not yet received a promised cheque for $10,000 from the Transitional Assistance Program. The Transitional Assistance Program is run by the Community Development Trust, which was in turn under the jurisdiction of the Ministry of Community Development. The program provides funding to older forest workers so that they can transition to retirement, opening opportunities for junior workers.

Ford had been told he would have his cheque before Christmas, and then by New Year's. He and his wife were short of money and waiting for the cheque to provide some relief from their stress. On the day that Ford called us, he said program staff had given him conflicting information about whether his cheque had even been processed.

We contacted the program's manager, who then called Ford to let him know that his cheque would be sent the next week. Ford had heard that before and remained skeptical. At the end of the week, we contacted the manager again to confirm that the cheque had been mailed. It had not. The manager suggested we call her back if Ford did not get his cheque early the next week. The cheque did not arrive, so we did call again. The manager then investigated and learned that the cheque had only been mailed that day. Ford received his cheque for $10,000 the following week.

Supervisor's evening call solves problem
Ministry of Housing and Social Development

Daisy was upset when she called us on a Friday. She said staff at the Ministry of Housing and Social Development had told her she had to have an eviction notice before they would consider giving her another crisis supplement.

Daisy was on income assistance and already received the maximum shelter allowance. Although she would not be able to pay her rent for the coming month, she didn't want to ask for an eviction notice from her landlord. Unable to get through to the local supervisor by phone, Daisy had gone to the ministry's office to try to resolve the problem. However when she arrived, staff told her the supervisor would be in meetings for the rest of the day and couldn't speak to her.

We offered to contact the supervisor to see if she would call Daisy, but also let Daisy know that we might not be able to arrange this the same day. We left a message for the supervisor, who called us back at 4:30, after her meeting finished. She had just received Daisy's message and agreed to try to contact her that day.

When we called to follow up on Monday, Daisy told us that she had been impressed to receive a call from the supervisor on Friday evening. Daisy's problem was resolved – she would receive a crisis supplement without having to ask her landlord for an eviction notice. The supervisor also said she would try to help Daisy get funding for hearing aids that she needed, and which might help her keep a job.

Bus pass ready for pickup

Ministry of Housing and Social Development

Felix was on disability assistance and eligible for a subsidized bus pass through the Ministry of Housing and Social Development. Although he had paid for a pass through his bank about 10 days before he called us, he had not yet received it. Felix was worried about the delay, especially since he had a part-time job and couldn't afford to get to work without the pass. He had already missed one day of work because he didn't have bus fare.

Felix said in the past, he had received his pass about three days after paying for it through his bank. However staff at the Bus Pass Program had twice told Felix that they had not received his payment, even though the bank said it had gone through. Bank staff attempted to call the Bus Pass Program but could not make contact.

When we called the ministry about Felix's pass, staff said they had only received the payment the previous week, and that the pass would be issued the next day and mailed. Staff also arranged to issue a temporary pass that Felix could pick up the next day. We confirmed with Felix that this had happened, and he thanked us for our help.

MSP problem can be resolved within an hour

Health Insurance BC

Dena had moved from Quebec to B.C. six months ago and had been trying ever since to get coverage under the Medical Services Plan (MSP).

Dena was frustrated when she called us because Health Insurance BC (HIBC), which is the agency that administers MSP, had told her she had not included copies of some required documents with her application for coverage. Dena believed she had included these copies, but sent in a second set anyway. HIBC had then told her there was no record that these were received either. HIBC had also lost the MSP application for Dena's baby daughter, who was born in B.C. Since she no longer had medical coverage in Quebec, Dena was having to pay the costs herself whenever her family visited the doctor.

We contacted HIBC about Dena's complaint and asked staff there whether they would call Dena to address her concerns. HIBC called Dena within the hour and were able to resolve her problems. Dena, her baby and her husband all have MSP coverage now.

Case Summaries – Children and Youth

Benefits restored to grandmother caring for children

Ministry of Housing and Social Development
Lower Mainland

Ms. F was concerned that the Ministry of Housing and Social Development had stopped paying the financial support she needed to care for her two grandchildren.

Ms. F said that her daughter had suddenly moved out of their home one night, leaving Ms. F to look after her two children. Ms. F told us that she had health problems and wasn't working. She said that she relied on the money she had been receiving from the ministry under its Child in Home of Relative Program, and was under considerable financial strain without it. The ministry had stopped supporting her because she had not provided a form signed by her daughter and needed to supply her grandson's birth certificate. Ms. F explained that supplying this paperwork would be very difficult, since her daughter had chronic drug and alcohol problems and Ms. F had been unable to locate or contact her for about six months. Given her situation, Ms. F believed the ministry's requirements were unreasonable.

In order to resolve Ms. F's complaint, we obtained and reviewed the ministry's records. Based on that review, it appeared that the forms the ministry was requesting had been completed by the children's mother within the past year. Furthermore, it appeared that income assistance had been issued to support the boy at various times since his birth and that the ministry had a CareCard and various other information that could be used to confirm his identity, in absence of his birth certificate. We also noted Ms. F's file seemed to have been closed without a decision being made on the children's eligibility for assistance, and without Ms. F being informed of her appeal options. In view of these factors, we proposed that the ministry consider re-opening Ms. F's file and issuing benefits beginning from the date on which her file had been closed. After reviewing the file, the ministry agreed to our suggestion. The ministry also helped Ms. F with her hydro bill. In light of these actions, we considered the complaint resolved and closed this file.

Woman assessed as foster parent after long delay

Ministry of Children and Family Development
Northern B.C.

Diana lived in a small community in northern B.C. and had been caring for two children she was distantly related to for several years. She received some monthly financial assistance to pay for their care from a delegated aboriginal agency. The Ministry of Children and Family Development has delegation agreements with many aboriginal agencies in B.C. and these agreements give the agencies the authority to administer all or parts of the *Child, Family and Community Service Act*. However, the funding that Diana received from the agency was not as much as she would have been entitled to had she been approved as a restricted foster parent. Restricted foster parents provide care for children they know or who are related to them. Diana had been asking the agency to assess her for this status for several years. She was still waiting when she called our office in mid-2007. She said the agency's delay was unreasonable.

When we investigated, the agency confirmed that there had been a delay in completing the assessment, partly because of staffing shortages, and partly because of Diana's somewhat remote location. Although it took several more months of direct involvement by our office, Diana's assessment was eventually completed and she was approved as a restricted foster parent by the end of 2007. In addition, we continued to pursue the issue of retroactive payment for Diana. In the end, the agency retroactively paid Diana the difference between what she had been receiving and the rate for restricted foster parents, for a period of nine months. The agency also committed to reviewing Diana's request to be retroactively paid the higher rate for the care of the children from the time that she said she had first applied to be assessed as a restricted foster parent.

While it took some time for the agency to finally make arrangements for Diana's assessment, the eventual outcome was positive for her. After approving Diana as a restricted foster parent, the agency issued a retroactive payment to her and committed to reviewing whether she should receive any further retroactive payment. We therefore considered the complaint resolved and closed the file.

The agency subsequently reported to us that they had issued an additional retroactive payment to Diana for more than $11,000.

Exception to policy allows father to be acknowledged on birth certificate

Vital Statistics Agency
Lower Mainland

Shortly after their son's first birthday, Debbie and Don realized that Don was not listed as the father on their baby's birth certificate. They complained to our office that the Vital Statistics Agency (VSA) was requiring Don to take a paternity test before it would amend their son's birth registration to record him as the baby's father. They were concerned because this would delay the correction of the baby's birth certificate and because Don would have to pay for the test himself.

Debbie and Don explained that Don had mistakenly neglected to sign their son's birth registration form. While they were no longer together when the baby was born, both parents intended Don to be listed as the father on the birth certificate. The VSA had told them that Don would not have needed to take a paternity test in order to be acknowledged as the father on the birth certificate, if the child had been under a year old when the amendment was requested.

Although the baby was over a year old when they requested the change, Debbie and Don thought it was unfair that Don was being asked to take a paternity test, since they had reported the omission to VSA as soon as they learned of it, and because the baby had been registered with Don's surname.

When we contacted the VSA, we learned that when Debbie had signed the birth registration form, she had written that the father was unable sign it because she was no longer with him. According to the VSA, this information made the birth registration form complete even though it did not include the father's name or signature. The VSA told us that according to its policy, when a father wishes to be added to the birth record of a child over the age of one, there must be supporting evidence of paternity, such as DNA test results that would be admissible in court. However, as a result of our consultation with the VSA, its CEO reviewed this

matter. The CEO then authorized an exception to the existing policy on the grounds that the information recorded about Don on the birth registration form was sufficient to permit the addition of him as his son's father on a new form, without a paternity test.

We gave this information to Debbie so she could arrange for a new birth registration. She thanked us for our help and said she planned to do so. We then considered the complaint to be resolved and so closed this file.

Mother doesn't have to repay child care subsidy

Ministry of Children and Family Development
Lower Mainland

Faye contacted us because the Ministry of Children and Family Development asked her to repay a child care subsidy and she didn't think she should have to do so.

Faye explained that she was leaving income assistance and returning to the workforce when her child care arrangements fell through. She called the Child Care Subsidy Program in the Ministry of Children and Family Development to ask whether the children's father would be an eligible caregiver. She said she was told he would be, as long as he did not live in the same household as her. Based on this information, Faye applied for and received the child care subsidy. She paid the children's father to look after their children for three months.

Faye later found another child care provider and re-applied for the subsidy, based on her new circumstances. After ministry staff reviewed her file, they told Faye that the children's father was not an eligible care provider and that she should not have received the subsidy to pay him for caring for the children. Program staff told Faye she had to repay the $2,200 that she paid to the children's father using subsidy funds.

Faye didn't believe she should be responsible for the debt, as she had relied on the information program staff gave her, acted in good faith and provided accurate information on who was caring for her children.

We investigated and had a series of discussions with the Ministry of Children and Family Development regarding Faye's concerns. As it appeared that program staff might have misinformed Faye and erred in approving her application for the subsidy, we questioned whether it was fair to require repayment. Initially the ministry offered to consider a debt repayment schedule. However, after further consultation with us and further review of Faye's circumstances, the ministry decided not to pursue recovery of the subsidy funds. We closed our file, as the matter had been resolved.

One person can make a difference

BC Hydro

Lower Mainland

Sometimes when people come to us with a dispute about a small amount of money, they tell us that they debated whether it was worth the bother to complain. But even in cases where the dollar figure is small, it's likely that others could be affected by the same problem. The complaint that John brought to us is an example of how one person's persistence can benefit many others.

In the fall of 2007, John had just moved into a unit in a new Vancouver high-rise. When he later received his first hydro bill, he did not believe it was correct. He was willing to pay if the bill was accurate, and asked BC Hydro to provide him with documents to show that the temporary account that was established while his place was being finished had been closed before he moved in. John came to our office after BC Hydro assured him that the bill was correct, but would not provide him with the proof he was seeking.

After we contacted BC Hydro about John's complaint, staff there reviewed the matter again and discovered that in fact the temporary account had not been closed when it should have been. This meant that John's bill was about $60 too high. BC Hydro then also reviewed the bills of everyone else who moved into the same high-rise complex. They found that approximately 580 other people had also been affected, and that the total amount over-billed was more than $114,000. BC Hydro wrote to each of these customers, explained what had occurred, and advised them that their BC Hydro accounts would be credited. Most of the people in John's new high-rise complex received rebates as a result of his persistence in challenging the accuracy of his initial bill. John was happy to get his own refund and equally happy that his coming to our office made a difference to so many people.

Man regains Cariboo property after deadline extended

Ministry of Finance

Ernest had been having difficulties paying the taxes for a rural property in the Cariboo region that he had bought in the early 1990s. He lived in a trailer on the property for a number of years, but eventually had to move. He later accumulated a debt of approximately $8,000 in taxes on the property. When he did not pay this debt, the Ministry of Small Business and Revenue notified him that he would lose the property unless he paid what he owed.[5] He was unable to do so, and his property was forfeited to the Crown in December 2005.

People who lose property for not paying property taxes have the right to buy back the property within a limited time, if they pay the taxes, penalties and interest. This process is called revestment. Ernest's right to revest the property was set to expire in December 2008. Before the deadline, he applied as required to the Surveyor of Taxes and paid the $525 fee to do so. He did obtain a revestment order, but did not receive it until three weeks after it was issued. This left him very little time to complete the rest of the process, which

[5] Both the Property Taxation Branch and the Surveyor of Taxes were part of the Ministry of Small Business and Revenue until January 2009. After that, they became part of the Ministry of Finance.

involved paying his outstanding property taxes within 35 days of when the revesting order was issued. Ernest also did not fully understand the revesting process and was not able to complete the necessary steps. He came to our office a few days after his right to revestment had expired.

We asked the Surveyor of Taxes to review whether, given the notification delay, she could extend the time available for Ernest to complete the process. The surveyor decided that because of the exceptional circumstances, she could re-activate the revestment process if Ernest paid his property taxes as soon as possible. Ernest agreed and paid more than $7,700 toward that end. The Surveyor of Taxes then contacted the Land Title and Survey Authority Office to re-activate the revestment order. This meant that Ernest's ownership of the property was restored. This resolved his complaint and we closed our file.

Homeowner objects to plan for stub pole in back lane

BC Hydro

Lower Mainland

A homeowner complained to us that BC Hydro was constructing a stub pole in his back lane. The purpose of the stub pole was to buttress a leaning utility pole, but the homeowner believed this was unnecessary, and would create a traffic and safety hazard. Instead, he wanted BC Hydro to replace the leaning utility pole with an engineered metal pole that would stand upright on its own.

During our investigation we learned that in the course of building a two-car garage, the home's previous owner had removed an anchor that had been supporting the utility pole. Rather than restore the anchor, which would have blocked the current homeowner's access to his garage, BC Hydro chose to build a stub pole. BC Hydro had consulted with the City of Vancouver while designing the pole, and the city had concluded the pole would not be a traffic hazard and allowed its construction.

BC Hydro's construction standards are approved by the British Columbia Utility Commission and do not allow for the construction of an engineered pole, which would have cost much more. As the stub pole would not block the homeowner's access to his garage, BC Hydro's standards allowed it, and it was considered preferable to restoring the anchor.

Since our investigation did not reveal any procedural unfairness or show that BC Hydro had exceeded its authority, we explained our conclusion to the homeowner and closed our file.

BC Assessment offers personal touch

BC Assessment

Lower Mainland

Mrs. B, an elderly woman, contacted our office to complain that the 2008 assessment for her lake area property had increased by more than 15 per cent over the previous year and she could not understand why.

Because her cabin was on leased Crown land, Mrs. B's lease payments were directly tied to the assessment, and would also go up accordingly. This increase was devastating to her. Mrs. B called BC Assessment, but could not get an explanation for the increase. She then sent a written appeal to the Property Assessment Review Panel, which upheld the assessment. Mrs. B asked us if we could find out why her assessment had increased so much.

During our investigation we learned that BC Assessment prefers that staff in its local offices are tasked with addressing questions about assessments when they're first raised. However, Mrs. B was not sure whom she had spoken with at BC Assessment. When we raised Mrs. B's circumstances with the local assessor, he agreed to call Mrs. B to explain both the reasons for the increase and the appeal process. The assessor also followed up with a letter to Mrs. B. In the letter, the assessor provided a detailed explanation for the increase, suggested arguments she might present to the review panel, and explained how to apply for a review.

Mrs. B was very pleased that the assessor took the time to phone and write to answer her questions, and appreciated the steps that our office had taken to help her obtain an explanation of the increase and how she could take further steps to challenge the assessment.

GVHC agrees to store deceased tenant's belongings

Greater Vancouver Housing Corporation
Lower Mainland

Foster called us because he was worried that the Greater Vancouver Housing Corporation (GVHC) was going to throw out his dead brother's belongings.

Foster's brother had died without a will while living in a rented apartment managed by the GVHC. Foster had tried for the next three weeks to recover his brother's belongings from the apartment, but said he kept having problems with GVHC staff about getting into the unit. GVHC staff eventually told him that he needed to provide documents proving he had the authority to access the suite and take possession of his brother's property. When he called us, Foster said GVHC staff had told him they would dispose of his brother's belongings if the apartment was not cleared by 4:30 p.m. the next day. Foster believed this deadline was unreasonable, since GVHC staff had only told him of the document requirement the day before. He was also concerned by the GVHC's plan to dispose of his brother's belongings.

We decided to investigate and called the GVHC. Staff there told us that as long as Foster confirmed his identity and there were no objections from other family members, they would allow him into the suite to remove the contents. GVHC staff said that if he could not do this, they would box and store the possessions, but not dispose of them. We advised Foster of these changes and then considered this complaint settled and ended our investigation.

It doesn't hurt to ask

BC Safety Authority
Interior

Mr. D contacted us because he was dissatisfied with the answers he was getting to his questions about the permit fees for his private power line.

Several years ago, Mr. D had built a house in a rural area of the Kootenays. BC Hydro would not put a power line to his house, so Mr. D had installed his own. In order to do so, he had to pay for an annual permit from the BC Safety Authority (BCSA). He came to our office with a number of complaints about the BCSA, including what he viewed as a dramatic increase in the cost of the annual permit.

Mr. D wanted to know what service he was receiving for the cost of this permit, since he was responsible for maintaining and inspecting the power line himself. Although, Mr. D had spoken to a few front line people at the BCSA, he wasn't satisfied with their answers. Also, Mr. D had found a takeover agreement he had signed with BC Hydro when he first installed the line, and it appeared to turn the power line over to them. He wondered how this agreement might affect his obligation to pay the annual permit fees.

After speaking to Mr. D, we called the BCSA. The BCSA responded quickly by having a director contact Mr. D to discuss his concerns. Mr. D was able to have several conversations with BCSA staff and faxed them a copy of his agreement with BC Hydro.

After reviewing the information Mr. D provided, the BCSA sent Mr. D a letter advising him that his permit could have been cancelled at his request once he signed the agreement with BC Hydro. Mr. D had not been aware of this option. The BCSA agreed to cancel the permit and refund Mr. D's 2007 permit fees.

Mr. D was impressed with the way that the BCSA had dealt with his concerns and had greater peace of mind knowing that BC Hydro could help with the maintenance of his power line. Mr. D was also pleased with the way our office handled his complaint. He told the ombudsman officer, "You can put a gold star on your calendar for today."

Homeowner's address and assessment corrected

BC Assessment
Interior

Steve contacted us because BC Assessment had valued his mobile home as worth $42,000 more than what he'd paid for it just a few weeks before the assessment was done. He had tried to dispute the assessment, but BC Assessment told him the deadline for doing so had already passed. Steve said he did not receive his Notice of Assessment, and so had not been given the opportunity to appeal.

When we investigated Steve's complaint, we found that BC Assessment didn't have his correct postal code when it had sent out Notices of Assessment. This explained why he had not received his notice, and BC Assessment staff corrected their records.

We then investigated Steve's other complaint – his disagreement with the assessed value of his home. In response to our investigation, an appraiser at BC Assessment reviewed Steve's file. The appraiser found that the assessment was incorrect because it did not account for the fact that an attached double garage and set-up costs were included in the sale price of the home. The appraiser explained that sale prices of mobile homes usually do not include these costs, and so the assessment was based on the assumption that the garage was a later improvement. Its value was then added to the assessment.

To fix this problem, BC Assessment issued a supplementary assessment for Steve's home that better reflected its market value as of July 1, 2007. BC Assessment also found two other mobile homes in the area had been affected by the same error, and it issued supplementary assessments for these homes as well. Steve's new assessment was approximately $52,000 lower than his original one, and he now had the option to appeal it. As BC Assessment had corrected the errors that led to Steve's complaint and issued him a supplementary assessment, we let him know that we would be closing our file. He thanked us for our help.

Case Summaries – Driving and Transportation

SkyTrain fines dropped for man who was impersonated

Insurance Corporation of British Columbia
Lower Mainland

Fred was surprised when he heard from a collection agency that he owed $90 for unpaid SkyTrain tickets that had been issued a few years before. Since he didn't use the SkyTrain, he believed someone had falsely given his name to transit police, and he began disputing the tickets. Fred was very frustrated when he contacted us because he had made many unsuccessful attempts to resolve his problem. He complained that TransLink had no proof that the person ticketed by transit police was actually him.

We contacted Translink to discuss Fred's concerns. TransLink staff described the various methods transit police used to identify someone who does not supply identification when ticketed. We also learned that the transit police had no records for the tickets issued in Fred's name, since they only kept those records for two years. TransLink staff referred us to the Insurance Corporation of British Columbia (ICBC), explaining that it is the agency responsible for collecting SkyTrain ticket fines. According to TransLink, when someone claims to have been impersonated, ICBC is supposed to request the ticket records from the transit police. If none are available, or the transit police can't confirm the person's identity, ICBC is supposed to stop its collection attempts.

We then contacted ICBC about Fred's problem. Staff there confirmed that a ticket should be removed from collections if someone claims to have been impersonated and the transit police have no records for that ticket. Although this was ICBC's standard procedure, someone had not followed it in Fred's case. ICBC agreed to stop its collection attempts and wrote Fred to tell him this. ICBC also apologized to Fred. He said he was satisfied with this outcome, and we closed our file.

Complaint about car's odometer reading resolved

Motor Vehicle Sales Authority of British Columbia
Vancouver Island/Sunshine Coast

Dale complained to our office about the Motor Vehicle Sales Authority of British Columbia (MVSA). The MVSA is an independent agency created by legislation to administer the *Motor Dealer Act* and other statutes, such as the *Business Practices and Consumer Protection Act*, as they relate to consumers and the retail sales of motor vehicles.

The MVSA had told Dale that it was not within its jurisdiction to investigate the concerns he had about the mileage on the new car he had just bought. When Dale had picked up his new car, the odometer reading was approximately 400 kilometres higher than what he'd agreed to in his sales contract. Dale had tried resolving the problem with the dealership, but had no success. He had then turned to the MVSA. However, when he contacted the MVSA, staff there told him that his concern was a contractual issue with the dealership, and not something they would investigate. Dale didn't think the MVSA had given him adequate reasons for this decision. He also thought the MVSA's actions were inconsistent with its policy and mandate.

Our office contacted the MVSA to discuss Dale's concerns. We raised several questions about the MVSA's rationale for not investigating Dale's complaint, and asked for more information about its complaints process. After we did so, the MVSA acknowledged that its decision to not investigate was in error. It began a formal investigation of Dale's complaint about the dealership where he'd bought his car.

After the MVSA concluded its investigation, the dealership formally apologized to Dale, and as compensation, offered some free service visits and repair of scratches on the car. Dale was satisfied with this outcome and thanked us for our help.

Language issue masked anxiety concerns

Office of the Superintendent of Motor Vehicles
Vancouver Island/Sunshine Coast

Prabjeet complained to us that the Office of the Superintendent of Motor Vehicles (OSMV) would not meet with her to discuss its refusal to let her take another road test.

Prabjeet was born in South Asia and had some problems communicating in English because it was not her first language. She had also taken the road test several times without passing. After she failed the last time, the OSMV refused to allow her to take the test again. Prabjeet wanted to bring one of her adult children with her to translate when she met with an OSMV official, so that she could explain in her own language why she had not done well on the tests. She hoped that if she could do this, the OSMV would give her another chance to take the test. Submitting a written appeal of the decision, as is the OSMV's usual procedure, would have been difficult for Prabjeet due to her limited English.

At our request, the OSMV agreed to meet with Prabjeet and her son. This face-to-face meeting provided the OSMV's manager with an appreciation for the anxiety that Prabjeet experienced during her road tests. The manager suggested that Prabjeet consult with her doctor to see if there was medication that would assist her with her anxiety about the tests. If Prabjeet could provide proof that her doctor had helped her bring her anxiety issues under control, the OSMV was willing to give her another chance at a road test. Since this resolved Prabjeet's complaint, we closed our file. Prabjeet called us back after her meeting with the OSMV to thank us for our help with arranging it.

Fair warning

Insurance Corporation of British Columbia
Northern B.C.

Ms. D contacted us to complain that the Insurance Corporation of British Columbia (ICBC) had penalized her for breaching insurance conditions she did not even know about.

Ms. D had moved from one Interior town to another without telling ICBC. When she later filed a claim, she learned that by moving without informing ICBC, she had breached the terms of her insurance, and had to pay a penalty of $1,500 in order to keep it valid. She tried to resolve her concerns with ICBC without success. She told us it would be nice to get her money back, but that her main concern was that no one else should have to go through what she did and be ambushed for breaking rules no one had explained.

About the same time, Mr. F called us with the same problem. He had not paid a penalty yet, but ICBC had told him he had breached his insurance when he took his truck to Alberta for work without telling them. Both Ms. D and Mr. F were now in areas that ICBC considered higher risk, so their new rates were more than what they paid when they first purchased insurance.

This case raised questions: Is it an owner's responsibility to find out and understand her or his insurance conditions? Is it ICBC's responsibility to tell the driver the terms of the insurance? Or both? And if responsibility is shared, how is it shared?

Throughout Ms. D's attempts to solve her own dispute, and for most of the year and a half it took us to settle this issue, ICBC maintained that the insured person is responsible for understanding the contract. This may be true in a strict legal sense, but knowing the contract involves reading and understanding not only the documents one gets and signs when one buys insurance, but also arcane and complex sources like the *Insurance (Vehicle) Act* regulations and ICBC's tariff. Needless to say, few of us have the time, the skill or the inclination to do that, and ICBC knows it.

Contact your local Autoplan broker when you change your address, vehicle description or use, or the place where your vehicle is kept or operated. If you don't, your claim may be denied.

A second legitimate issue ICBC raised was that many owners don't even read the information ICBC sends them by mail or the pamphlets available through local brokers. At one point ICBC suggested to us that there was no point developing better information for owners, as no one would read it.

Maybe so, but that is not the point. Since ICBC knows there are repeated or common breaches of insurance, fairness suggests that ICBC can and should warn people of these problems. One such common problem is that people do not know that not calling ICBC within 30 days of moving breaches their insurance policies. It took us a while to find a person at ICBC who would be both willing and able to make these changes, but in the end we did. ICBC agreed to change its form AP2500, which is the insurance document meant to be kept in your car. The back of that form has a warning section. Next time this form is reprinted the first item in that section will read:

Contact your local Autoplan broker when you change your address, vehicle description or use, or the place where your vehicle is kept or operated. If you don't, your claim may be denied.

Case Summaries – Education

In the right hands

Northern Lights College
Northern B.C.

Two men called in concerned that they were not getting the education they expected when they signed up for a heavy-duty equipment operators' course. Only two weeks of the course were left, and they were concerned they would get the credential (ticket) but not have the skills to do the work safely. They said they had raised their concerns with the program head and the dean, but nothing had changed and time was passing.

Over the next day or two, we obtained more information from the students, including some information that raised questions about the safety of the site where they were getting hands-on experience. Apparently, sometimes the students were working without an on-site instructor, working communications devices or first aid supplies. They were also sometimes working out of sight of each other. We contacted the college immediately to pass on these safety concerns, as well as to ask questions about the nature and quality of instruction, how practical experience was being measured, and whether students were receiving the range of experience originally offered.

The good news is that the college's response was instant and thorough. A senior college employee found a hard hat and headed straight out to the work site. What she saw there caused her to close it down. Within a week, college staff had arranged a meeting for all the students in the program and had offered all of them two weeks extra instruction at no charge, as well as per diem expenses for out-of-town students facing extra costs if they stayed an extra two weeks. The college also found a new work site, hired a new instructor and introduced an educational assessment tool for evaluating this type of program.

Even better, once this course was back on track the college put its mind to the future. Program expectations will be re-written to establish the standards for future courses. Spot inspections of work sites will become standard, and staff were asked to sign a written understanding to uphold program standards. As well, the college wrote to the three students who did not receive full instructional hours in this course, offering them the option to return for more training at no cost.

Mistakes happen, but in the right hands, mistakes are an opportunity to learn and to improve service. It is a pleasure to see this kind of fair and open-handed response to a complaint. The senior college employee who responded promptly and decisively to the concerns we raised demonstrated what public service really means.

District follows policy on school closures

School District 5 (Southeast Kootenay)
Interior

Diane complained to us that the public consultation process the Southeast Kootenay school district followed when it proposed to close one of its schools was both flawed and contrary to its own policies.

Diane said the district was supposed to notify affected groups and organizations, but it had not done so. As part of our investigation, we carefully reviewed the information the district supplied about its closure process. After considering this material, it appeared to us that there had been a number of opportunities for public input. The district had held a number of widely publicized and well-attended meetings for the specific purpose of allowing public input into its decisions. The district had used various methods to notify the public of these meetings. It issued press releases, advertised in local newspapers and radio, and posted information on the board's website. The distribution list for its press releases included the local organizations the district was required to notify under its policy.

There was evidence to support the position that the community was aware of the plans for school closure and the public consultation process. The public consultation process the district followed appeared to be reasonable, and consistent with legislative and policy requirements. Given all this, we were unable to substantiate this complaint. When we closed the file, we wrote to Diane to explain why were satisfied that there had been a reasonable notification process.

Mixing business with learning

Vancouver Island University
Vancouver Island/Sunshine Coast

Evan complained that the way Vancouver Island University (VIU) collected fees for mandatory health and dental insurance was unfair and an example of negative billing. Evan also thought VIU had used inappropriate procedures in its attempts to collect the $200 he owed for those fees.

Evan said VIU staff had told him he could be de-registered from his course because he owed money for his health and dental insurance. The university had also referred his debt to a collection agency. Evan thought these actions were extreme given the size and nature of his debt. He was equally concerned that one of his instructors had spoken to him about the debt. Evan said it was inappropriate for VIU's academic staff to be involved in students' financial issues, as this mixed business with learning in a way that might make students feel vulnerable.

The first issue was simple. Like other universities, VIU must collect and pass on fees properly instituted by its student society. Students had approved a mandatory health and dental plan in a referendum held before Evan arrived at VIU. Only those who showed they had equivalent insurance could opt out. Once the plan was adopted by the student society, VIU had to collect and remit this fee.

The second issue was more complex. Our office will review a complaint that a university is misusing its authority to collect fees, or is not considering a student's circumstances in deciding how to collect fees. There is no doubt, however, that a university has the authority to require the payment of fees. In cases of non-payment, a university can also use a collection agency, refuse future registration, de-register, or withhold transcripts or credentials. While VIU had the authority to carry out these consequences, we discussed with its officials whether the university's responses were proportionate to Evan's debt. VIU agreed immediately that arranging for Evan to make payments over time would be a more appropriate option and would avoid the possibility of him being de-registered for a small outstanding debt.

After that initial conversation, VIU investigated Evan's complaint that an instructor had spoken to him about his debt. VIU then decided to use general university funds to pay Evan's health fees, as acknowledgment that the university had erred in its dealings with him. VIU officials agreed that it was inappropriate and was neither expected nor normal procedure for an instructor to approach a student about a fee debt. As well as apologizing to Evan, the executive director of student services arranged to meet with the registrar and the relevant dean to ensure they understood that VIU expects students' financial dealings to be kept separate and distinct from their academic relationships.

Nursing student's grading complaint leads to improvements

College of New Caledonia
Northern B.C.

Fern was enrolled in the Practical Nursing Program at the College of New Caledonia. When she failed one of her clinical practicums, she could not continue with her studies. Fern thought that her final grade for the practicum course was unfair and claimed that a newly hired instructor had evaluated her using a different method than was used for other students in her class. She came to our office when the college denied her final grade appeal.

After investigating, we concluded that the college had used the same evaluation method for all the students in Fern's clinical course. However, we recognized that due to the hands-on nature of a clinical course, where students are working directly with patients, providing evaluations can be challenging for instructors.

As a partial remedy to the situation, we suggested that the college improve and clarify the wording in its course description about the expectations and conditions of testing in the clinical setting.

Another issue was that the college had not fully explained its reasons for denying Fern's appeal. At our request, it agreed to do so. Officials at the college also discussed Fern's situation with her, and subsequently agreed to give her advanced standing in their Home Support Program. She received a certificate for that program after she completed the requirements that she had not already satisfied through her nursing courses.

We also asked the college to review its grade appeal policy. Its existing policy allowed the college to decide a clinical grade appeal without input from a clinical professional. We suggested that somewhere in the appeal process students in clinical courses should have the opportunity to have an external practitioner participate in the assessment of their appeal. The college thanked us for our observation and committed to review this aspect of its grade appeal policy.

Ministry allows student to redeem her scholarships

Ministry of Education
Vancouver Island/Sunshine Coast

Donna complained that her daughter couldn't use her high school scholarships to pay for her program at a private animation school in Ontario.

Donna's daughter could not redeem her scholarships to pay for her education in Ontario because the private school she attended there was not a designated post-secondary institution, as required by the policy of the B.C. Ministry of Education. Donna argued that the program her daughter attended at the school compared favourably with programs offered by designated post-secondary institutions. She questioned whether designation, which she understood was for the purposes of student loan funding, was a reasonable condition of award redemption.

When we investigated, the ministry explained that the designation condition was intended to ensure that scholarship money is used for programs that are of an appropriate standard. Further, this restriction was as old as the scholarship programs themselves. The ministry noted that it only designates schools that are accredited by a recognized body and which are therefore subject to ongoing monitoring of the quality of their programs. The ministry said it had not considered exceptions to this policy because most schools that offer good quality programs can become accredited and designated if they want to. It appeared the ministry was applying its policy consistently and we could not find compelling arguments that it should consider making an exception in this case.

However, in our discussions with Donna she mentioned that her daughter had attended a designated post-secondary school in B.C. several years before transferring to her current program. Donna said that her daughter hadn't redeemed the scholarship money at that time because she already had enough to meet her expenses. After learning this, we explored with the ministry whether it would consider redeeming Donna's daughter's scholarships after the fact, for the years she attended the designated post-secondary school. The ministry agreed to do so, and we closed our file. We were later told that Donna's daughter had received the full amount of the scholarship money.

SFU levels playing field for student athletes

Simon Fraser University
Lower Mainland

Felicity was a second-year athlete on a varsity team at Simon Fraser University (SFU). She had a four-year athletic scholarship that was subject to annual review. During her second year, Felicity began to worry that her course schedule and her team's practice schedule would conflict in future semesters. She tried to resolve these concerns, but ran into difficulties with her coach, and later, with the Athletics Department. The department subsequently dismissed Felicity from her team for going outside its normal processes in her attempts to resolve her concerns. Her academic scholarship was also cancelled. She came to us after her appeals to the Athletic Appeals Committee and to a senior university official were denied.

Felicity thought that SFU had not properly followed its own processes when it decided to dismiss her from the team and cancel her scholarship. She also thought SFU officials had given her inadequate and inconsistent reasons for their decisions.

After a thorough investigation, we shared several observations about SFU's handling of Felicity's case with senior officials at the university. We noted that:

- Too much control over decisions about student dismissals from teams was in the hands of an official who was closely involved in the Athletic Department's daily activities, creating the potential for real and perceived bias.
- Students dismissed from athletic teams did not have the right to appear before the Athletic Appeals Committee, or to be accompanied by SFU's ombudsperson.
- The Athletic Appeals Committee was not obligated to provide students with written reasons for its decisions.
- The term "conduct" as used in the university's student-athlete agreement was not well-defined.

In consultation with our office, SFU agreed to strengthen its processes by taking the following steps:

- revising its student-athlete agreement and its athletic appeals process so that someone removed from daily interaction with coaches would have the decision-making power over dismissals from teams and cancellation of scholarships;
- including in its appeals process the right for students to appear before the Athletic Appeals Committee, accompanied by SFU's ombudsperson;
- requiring the Athletic Appeals Committee to provide students with adequate written reasons for its decisions;
- removing the term, "conduct" as a grounds for breaching its student-athlete agreement and replacing it with more specific wording that requires student-athletes to comply with written rules set out in advance by the coach;
- requiring the chair of the Athletic Appeals Committee to submit an annual report to an SFU vice-president; and
- providing senior administrators in the Athletics Department with appropriate training in the principles of procedural fairness.

Due to the procedural problems we noted, we asked SFU to restore the second year of Felicity's four-year athletic scholarship. SFU agreed, but since it had not enacted the decision to cancel Felicity's scholarship until after she had already received funding for her entire second year, no further action was needed to address her circumstances.

We commend SFU for its willingness to revise its student-athlete agreement and appeals process so that athletes facing dismissal from varsity teams have access to a fair process.

Sometimes you don't get what you pay for

University of British Columbia
Lower Mainland

A young student named Deanna called us because she thought the University of British Columbia (UBC) was being unfair when it refused to give her a refund for the remaining balance on her meal plan account.

Deanna lived in residence at UBC, and her room came with a meal plan. The meal plan was paid for upfront, and then Deanna used a kind of debit card to purchase meals in the cafeteria. At the end of the school year, Deanna had more than $300 left on her card, and could not get a refund because she did not apply for it on time.

Before she called us, Deanna tried to deal with this herself, with her mother's help. They sent e-mails to and called UBC, but were told that the conditions of the meal plan contract had been explained the previous August, so no refund was possible. However, Deanna still thought this was unfair. She pointed out that UBC can and did e-mail her with reminders if she owed the university money, so why hadn't it e-mailed to remind her how to claim the balance of her funds? She also thought it was unfair that UBC was profiting by keeping the money of students who did not understand the system or forgot how it worked, and said she did not understand why UBC could not or would not issue a late refund now.

We were able to answer the last question first. During our investigation, we learned that the rules for the meal plan are designed to fit the Canada Revenue Agency's (CRA) requirements for exemption from the GST. Students benefit by not paying the GST, but in order to qualify for the exemption, must comply with many rules, including one that requires meal plan accounts to be closed within days of term end. If UBC did not comply with the CRA's rules, the whole program's eligibility might come under review.

We found out too that UBC had made efforts to remind students how to claim a credit for future use. As well as giving information to every student at the beginning of the year, UBC placed posters in the cafeteria about a month before term end, reminding students to check their balances and how to claim any credit. Deanna had not noticed the posters.

We had no reason to form the opinion that UBC had acted unfairly. It had told Deanna the rules at the beginning and also put up reminder posters. More than 500 students claimed a balance, so there was some evidence that the posters worked. Even so, Deanna's idea of individual e-mail reminders made sense, so we asked UBC to consider changing its process for the future.

UBC agreed. In the spring of 2009, meal plan holders received e-mails reminding them how and when to claim any credit. Even better, starting in the next academic year, meal plan balances will automatically roll into a new account that can be used at campus food locations. Cash refunds are not an option but this is the next best thing.

Extra bill for ambulance reversed

BC Ambulance Service

Interior

In June of 2007, Ed was taken to the hospital in an ambulance. Several months after this, the BC Ambulance Service (BCAS) sent him a bill, which Ed paid promptly at a government agent's office. Later that month however, the BCAS sent him another bill for the same amount, and followed up with an overdue notice when he didn't pay. When Ed called the BCAS to straighten things out, staff told him they had no record of his payment and that he needed to pay his overdue bill. Ed did not think that the response had been helpful. He did not think he had been treated fairly.

Ed brought his complaint to our office. He still had his receipt showing that he'd paid the ambulance bill and did not know why the BCAS had sent another bill and continued to ask him for money. When we investigated, we found that two ambulances had been sent to take Ed to the hospital and he had been billed for both of them. BCAS told us that Ed should only have been billed once. After we brought Ed's situation to the attention of BCAS staff, they called him to apologize and cancelled the second bill. They also used Ed's story as a test case to further train their telephone staff.

PharmaCare agrees to pay subsidies

PharmaCare

Interior

Debbie contacted us because her coverage under the Fair PharmaCare Program was discontinued and she wasn't told in advance or given an opportunity to respond. Fair PharmaCare is an income-based program of the Ministry of Health Services that subsidizes the cost of certain prescriptions for those who are eligible.

Debbie explained to us that once she had written confirmation of her registration with Fair PharmaCare, she assumed she would receive the benefits she was entitled to under the program. Having heard nothing to the contrary from PharmaCare, she was surprised when several years later, she learned from her provider of extended health insurance that she was not properly registered with Fair PharmaCare. Debbie was able to resolve this problem herself, and her coverage was re-instated, retroactive to the beginning of the calendar year. However, she believed that she had been eligible for PharmaCare subsidies during the years in which her coverage was suspended, and she disagreed with the refusal to pay those subsidies to her now.

When we contacted PharmaCare, staff told us the information on Debbie's Medical Services Plan account didn't match the information she provided to them when she registered with Fair PharmaCare. PharmaCare staff said attempts were made to contact Debbie about this, but when she did not respond to a written request for clarification, her deductible defaulted to $10,000 and remained there until she made contact and resolved the discrepancy.

We questioned whether it was fair to penalize Debbie for not responding to a single letter that she might not have received. Following a period of consultation, we proposed that PharmaCare assess Debbie's eligibility for Fair PharmaCare subsidies during the years her benefits were suspended and pay her an amount equal

to the amount of any subsidies she would have been entitled to during that time, minus any reimbursement she had received from her extended health insurance provider. PharmaCare agreed to our proposal and after informing Debbie, we closed the file.

In addition to addressing Debbie's individual complaint, PharmaCare staff told us that they had revised the form letter they send to people in her situation so that the consequences of not responding were clear. PharmaCare also informed us that it was reviewing its practice of terminating coverage in cases where it did not receive a response to its request for contact within sixty days.

Examination policies protect the public

Ministry of Health Services
Vancouver Island/Sunshine Coast

Dustin, a former candidate for a primary care paramedic licence, contacted us with a complaint about the Emergency Medical Assistant Licensing Branch of the Ministry of Health Services.

Dustin said the branch had acted unfairly in applying a policy that allowed candidates for the emergency medical assistant licence only three attempts to pass the exam. The branch only let candidates try a fourth time if they provided a certificate showing they had successfully retaken the primary care paramedic course. Dustin said this policy did not exist when he wrote his third exam. He also believed other candidates had been allowed to write the exam a fourth time without supplying a certificate.

When we investigated, we learned that a written policy that clearly set out the consequences of failing the exam a third time was available to candidates at the time Dustin wrote his third exam. We also learned that the branch sent notices to all candidates who were about to write the exam and that these included a note asking candidates to review the examination guide prepared for applicants. This guide included the policy.

Branch staff explained that candidates who fail the exam receive verbal and written feedback on their performance, as well as suggestions on remedial training and other recommended steps to pursue prior to their next attempt. Branch staff told us that after Dustin's second unsuccessful attempt, the branch's field coordinator and the examiner told him to seek help with his weak areas before trying again. Dustin was also advised that another failure would mean he had to retake the course before he could do the exam again. They said they had no record of anyone being permitted to write the exam a fourth time without providing a new certificate.

We also learned that the branch's policy had recently been changed so that a remedial exam could not be taken in the same session as the original, without the explicit consent of the field coordinator and the director. Exceptions to this new policy were allowed in cases where it was clear that a candidate would have time for sufficient practice and further training during the current session. This policy change had been sent to all examiners, was included in all e-mails confirming exam bookings, and would soon be posted on the branch's website.

We concluded that the branch had not treated Dustin unfairly. When we informed him of this, we explained that when reviewing complaints about a regulatory body, we must consider its role in protecting the public. We noted that the primary duty of the branch was to protect the public, and its examination policies had to be both fair to the individuals taking the exam and to the public who would be relying on appropriately qualified medical assistants.

PharmaCare creates new travel policy for prescriptions

PharmaCare

Helen contacted our office late in 2004 with a complaint about B.C.'s PharmaCare Program. Helen said that when she tried to refill her prescription, the pharmacist told her she could only have a 30-day supply. This was a problem for Helen, who needed her medications every day and was planning a two-month vacation. She wanted to refill her prescription so that she would have enough medication to last until she returned from her holiday. Helen thought it was unfair that she could not do so.

Marie contacted us about a similar complaint in the fall of 2005, after moving to Ontario from B.C. Marie had heart medications that she had to take regularly. Before she moved, she went to her pharmacy to refill her prescriptions, but could only get a partial refill. She complained that the PharmaCare Program would not approve a full refill before she left the province.

When people move away from B.C., their PharmaCare coverage ends. Marie's medications cost almost $2,000 per month, but while she lived in B.C., PharmaCare had been covering part of the cost. According to Ontario laws, Marie would not be eligible for that province's drug assistance program until she had lived there for at least three months. Marie knew that after she ran out of her medications, she would have to pay for them all on her own until she was eligible for Ontario's Drug Benefit Program. This is why she had tried to refill her prescriptions before she left B.C.

PharmaCare's initial response to our investigation of both Helen and Marie's complaints was that its policy was to refill prescriptions for a maximum of 30 days when patients had more than a 14-day supply of the drug on hand. Marie and Helen were both denied a full refill because they did have more than a 14-day supply when they asked for a refill. The result for Marie was that she would have to pay the full cost of her drugs for almost two months before she was eligible for any subsidy in Ontario. The result for Helen was that she would have to find a way of refilling her prescription while out of the country and pay whatever it cost.

It seemed to us that refusing an early refill of a prescription could result in unfairness, because some people who were eligible for PharmaCare benefits might be unable to refill their prescriptions during the 14-day window. When we questioned PharmaCare about whether imposing this timeframe was reasonable, staff agreed to consider a revision to the policy. However, staff noted that such a policy change would significantly effect both the program and PharmaNet, the computer network that connects all pharmacies in B.C. It would therefore need thorough consideration before any changes could be made.

On May 1, 2008, PharmaCare took our suggestion and created a new policy that allows eligible people to obtain travel supplies of their medication. Under the new Travel Supply Policy, people can ask for an out-of-province travel supply once every six months. The pharmacist can then top up the prescription to the maximum number of days.

Although it took some time for the change to happen, we understood that PharmaCare needed to take many steps in order to enact the new policy. While neither Helen nor Marie could be reimbursed for their prescription costs, the unfair aspect of PharmaCare policy was remedied. Marie thanked us for our work and said she was pleased about the change, because others would benefit as a result of her complaint.

Delays cause insurance lapse

BC Ambulance Service

Interior

Mr. J contacted our office with a complaint about the BC Ambulance Service (BCAS). Mr. J lived in Ontario, but was attending school in B.C. when he had an accident and needed an ambulance. More than six months later, he received a collection notice from Revenue Services BC (RSBC) telling him he was late paying the $530 he owed them for the ambulance. Mr. J had never received a bill for the service and by the time he received RSBC's notice, he had missed his insurance company's deadline for reimbursement. He went ahead and paid the bill out of his own pocket. We agreed to investigate whether the BCAS unreasonably delayed invoicing Mr. J for the ambulance.

During our investigation we spoke to the manager of financial operations at the BCAS, who explained that under normal circumstances they issue an invoice, and if it's not paid, follow with notices six and ten weeks later. If they still haven't been paid by the fourteenth week, they send the account to RSBC for collection. They also send accounts to RSBC for collection if an invoice can't be delivered after two attempts. The manager explained that due to the large backlog at the BCAS, it took them five months to issue Mr. J's invoice. As well, Mr. J had moved during this period and the invoice may have been returned to the BCAS. The manager explained that if Mr. J's invoice had been returned to the BCAS as undeliverable during this time, his account had probably been missed.

The BCAS has since developed procedures to review individual cases that were affected by the backlog. When invoicing delays had clearly caused someone's insurance coverage to lapse, the BCAS has forgiven this portion of the debt.

After we brought Mr. J's situation to his attention, the manager wrote him to apologize for the delay. He also told him that if he could supply evidence that his insurance company had refused to pay because of the delay, the BCAS would forgive that portion of his account and issue a refund. Mr. J was confident that he could provide the information required, and was pleased at the outcome. We closed our file as settled.

Dental surgery delayed for woman in care home

Interior Health Authority

Interior

In July of 2008, Dorothy contacted our office on behalf of Edith, her aunt who was living in one of the Interior Health Authority's residential care facilities. Edith urgently needed dental surgery, which had to be done at a hospital. She had been waiting for several months, and Dorothy worried that further delay would harm her aunt's health. Dorothy believed there had been unreasonable delay in arranging the surgery.

Our office spoke to a social worker at Edith's care home. He acknowledged that it was taking a long time to arrange the surgery and explained that there was a lack of available operating room time for dental surgery. It was also difficult to find dentists to perform the type of surgery that Edith needed. He said that Edith was at the top of the waitlist because of the severity of her condition.

While the surgery was set for mid-August, unfortunately, it did not go ahead, because Edith was not taken off her medication prior to that date. Our office followed up with the social worker, who told us that surgery had been rescheduled for early September. We called back to confirm that it had happened.

We also asked the Interior Health Authority what steps it was taking to reduce the length of time people living in residential care had to wait for dental surgery. The manager of residential care told us that the waitlist was prioritized, and several other people with more urgent needs had already had surgery. She explained that staff at the Interior Health Authority were working with dentists in the region to improve access to dental care for residential care residents.

Since Edith's surgery was complete and it appeared that the Interior Health Authority had taken steps to avoid similar delays in the future, we considered the matter settled and closed the file.

Flexible response helps depressed man cope

Revenue Services of BC

Lower Mainland

Fraser called and gave us a confusing description of how Revenue Services of BC was taking collection action on his Medical Services Plan (MSP) account.

Fraser's problems with MSP were made worse by the fact that he was unemployed and had been diagnosed with depression. His depression made it difficult for him to cope with many routine tasks, and one of these was filing his income tax returns. He had not done so for a couple of years. Fraser was receiving regular phone calls he characterized as "harrassing," which was not helping him resolve the problem. In fact, he had stopped answering his phone all together.

Fraser was certain he did not have an overdue account, so we contacted a customer complaints resolution officer at the Ministry of Finance, which oversees Revenue Services of BC. The officer explained that Fraser actually did have an overdue account. This was because Fraser had not filed income tax returns, and so his eligibility for premium assistance on his MSP account could not be assessed, and he was being billed for the

maximum premium. The officer said that in order to avoid further debts to MSP, Fraser would have to apply for premium assistance and include a copy of his income tax Notice of Assessment. With Fraser's permission, we explained his circumstances to the officer and arranged for them speak directly.

After speaking to Fraser, the officer wrote to inform him that all collection action on his MSP account would be suspended for three months. The officer also referred Fraser to a non-profit group that could assist him with filing his income tax returns. She invited Fraser to contact her if he needed any more help.

We were pleased that our office could work together with a flexible and considerate customer complaints resolution officer to assist someone like Fraser, who was facing many challenges.

Policies are great — when staff are aware of them

Health Insurance BC
Lower Mainland

Mr. E was very frustrated with the Medical Services Plan (MSP). His wife, in Canada on a student visa, had completed all the paperwork necessary to apply for permanent residency and had a receipt to prove it. However, MSP would not accept the receipt as proof that his wife had applied for permanent residency, and so discontinued her benefits. When Mr. E went to Citizenship and Immigration Canada (CIC), staff there said his wife's residency was shown by her application receipt, and would not provide any further proof. Mr. E's wife could therefore not get MSP coverage. He asked us to investigate.

Our investigation found that Health Insurance BC (HIBC), as the administrators of MSP, had a procedure that allowed receipts from CIC to be used as proof of implied residency. However, HIBC staff had not applied the procedure in the case of Mr. E's wife, as she was covered under a group health policy and staff who worked in that area had not been notified of the procedure. When we raised this, a director at the Ministry of Health Services arranged for Mr. E to speak with a policy advisor so the error could be corrected. Mr. E later confirmed that his wife's coverage had been immediately extended for three months and thanked us for our help. A ministry representative informed us that its group policy staff had now been advised of the procedure that allowed application receipts to be used as proof of residency.

Northern man receives travel funding in time to see specialist

Ministry of Housing and Social Development
Northern B.C.

Elliott contacted us with little time to spare.

Elliott lived in northern B.C. and was receiving disability assistance. He had a medical condition that made him unable to work, but he was seeking treatment that he hoped would enable him to earn his living again.

The local specialist had been unable to help Elliott with his condition and had recommended that he see a specialist in the Lower Mainland. Elliott's family doctor had made the referral and completed Elliott's request for a medical transportation supplement to pay his travel costs. The local specialist also wrote a letter to the Ministry of Housing and Social Development expressing his support for Elliott seeking a second opinion.

However, the ministry had denied Elliott's request. Elliott said that he believed this was because he was seeking a second opinion. He said this was unfair, because he was only following his doctor's advice. When Elliott called us, he said he needed to get the supplement money before the end of the day, or he wouldn't be able to leave in time to attend his appointment.

While our office does not usually get involved in cases where a right to appeal has not been exercised, we recognized that the appeal process would not be able to address Elliott's need in the time available. We therefore investigated whether the ministry had provided adequate and appropriate reasons for its decision. We contacted the supervisor at Elliott's local ministry office. She clarified that the ministry had denied his request because treatment for his condition was available from the local specialist. She told us her office had not received the specialist's letter until earlier that day, after the decision to deny Elliott's request was made. She noted that the specialist's letter supported seeking a second opinion and that as a result, the ministry might be able to approve the supplement request. Due to the urgency, she agreed to immediately review the specialist's letter and discuss Elliott's request with the regional office. She called us back less than 15 minutes later to say that Elliott's request had been approved and that he could pick up his cheque before the office closed. Elliott was able to attend his medical appointment in the Lower Mainland.

Mother gets money for diapers and formula

Ministry of Housing and Social Development
Lower Mainland

Fiona contacted us because the Ministry of Housing and Social Development had changed the schedule for issuing her income assistance payments without telling her. As a result, she had misunderstood how long her cheque had to last, and was left without a way of buying the things she needed for her baby.

Fiona had been receiving her support funds in two cheques each month, some of which she used to buy formula and diapers. When her mid-month cheque didn't come, she contacted the ministry. Staff told her that she had already received her funds for the month. The ministry did provide her with $10 in emergency assistance, but this did not fully meet Fiona's needs.

That same day, we called the ministry about Fiona's complaint. A supervisor reviewed her file and concluded that there was no apparent reason for changing the way that Fiona's funds were issued. She reversed the change so that Fiona would receive her funds in the usual way the next month. The supervisor also arranged to have an additional cheque for $30 made available for Fiona to pick up later that day. She also noted that Fiona would be eligible for a crisis supplement after the first of the month. We thanked the supervisor for her prompt response.

A few days later, we were able to confirm with Fiona that she had received the additional cheque and was able to purchase enough formula and diapers to last until her next cheque. We considered her complaint resolved and closed the file.

Mother of disabled son helped by fix of application delay

Community Living BC

Vancouver Island/Sunshine Coast

Denise, a single mother of a boy with disabilities, complained to us that Community Living BC (CLBC) was taking too long to process her application to the At Home Program. Parents can apply to the At Home Program for financial support to offset some of the extraordinary costs of caring at home for a child with severe disabilities.

We contacted CLBC, which is the agency that administers the At Home Program, about Denise's complaint. We asked CLBC a number of questions about how Denise's application was handled and about the usual process for responding to applications to the program. In response, a CLBC manager spoke to staff and reviewed related electronic records. He then explained to us that the employee who had been working on Denise's application had taken an unexpected medical leave. The person who stepped in to replace her had not been made aware of Denise's outstanding application. When Denise later asked CLBC about the status of the application, CLBC had responded by processing and then approving it, but no one had told Denise this.

Following our contact with CLBC, a quality service manager sent a written apology to Denise and explained that CLBC had backdated the approval of her application. As well, the quality service manager arranged for an employee to call Denise and explain how to submit a backdated claim.

Denise was satisfied with this response from CLBC and appreciative of our help. We also considered the matter resolved, and so closed our file.

Ministry revises policy on eligibility for disability assistance

Ministry of Housing and Social Development

Doug contacted us because the Ministry of Housing and Social Development wouldn't accept his application for disability assistance unless he first applied for income assistance.

Doug understood that he wasn't eligible for income assistance because his family income was too high, but he thought he might qualify for disability assistance. He didn't see the point in having to apply for income assistance as a condition of applying for disability assistance. He was in very poor health and didn't want to go through a time-consuming process unless there was a good reason.

When we first asked the ministry questions about this complaint, its staff said that the *Employment and Assistance for Persons with Disabilities Act* and its accompanying regulations required people to apply for income assistance before applying for disability assistance.

Based on our own review of the legislation, we didn't understand the basis for the ministry's conclusion and discussed this with its staff. After reviewing the matter further, they agreed that nothing in the legislation prevented someone from applying for disability assistance without first applying for income assistance.

Ministry staff did, however, explain some of the practical reasons for requiring a person to first apply for income assistance. They noted that an application for income assistance takes much less time to process than an application for disability assistance. People who were eligible for income assistance would receive some financial help while waiting for their disability assistance application to be processed.

As well, the ministry contended that screening for eligibility for income assistance saved time for some applicants for disability assistance. This is because in order to be eligible for disability assistance, a person must first apply and be approved for designation as a person with disabilities. An applicant also has to meet other eligibility criteria, including some related to income and assets. Ministry staff said that since the designation process requires a fair bit of time and effort for both applicants and the ministry, they wanted to be reasonably sure applicants would meet the other criteria before putting them through this process. Ministry staff noted that many of the eligibility criteria for disability assistance and income assistance were the same, so assessing a person's eligibility for income assistance was a way to do this screening.

While ministry staff offered these arguments to support their position, they also invited Doug to apply for disability assistance, and told us they would clarify their written policy.

The ministry later revised its policy to clarify that someone does not need to apply for or be eligible for income assistance in order to apply for disability assistance. We considered this to be an appropriate response and so closed our file.

Ministry responds quickly to mother in crisis

Ministry of Housing and Social Development
Northern B.C.

Freya was a mother of three children, including a young baby. She was on income assistance and complained to us that the Ministry of Housing and Social Development had not said why it was giving her a smaller crisis supplement than she had expected to receive.

Freya explained that her baby was sick and she had run out of food and diapers. The ministry had issued her a crisis supplement for $40, but she had hoped to get a larger amount. The ministry had not explained why she was receiving only $40 and Freya had been unable to find out, or to contact the office supervisor.

Due to the urgency of Freya's situation, we contacted the assistant supervisor at Freya's local office the same day. The assistant supervisor agreed to meet with Freya later that day to discuss her concerns. During that meeting, the assistant supervisor confirmed that Freya's baby was still sick and agreed that Freya was eligible for an additional $40. She issued Freya a cheque for this amount. This resolved Freya's complaint and we ended our investigation.

Eligibility decision reversed after supervisor reviews file

Ministry of Housing and Social Development
Northern B.C.

Dana was an aboriginal woman who complained that the Ministry of Housing and Social Development had not yet faxed a form that she needed to her band's office, although she had asked them to do so several weeks ago.

Dana explained that the ministry had said she was ineligible for income assistance. She hoped that when the ministry confirmed this, her band would offer her some financial support.

We contacted a supervisor at the ministry who agreed to review Dana's file. While doing so, the supervisor found the ministry had no record of Dana's request. The supervisor said he would check with other staff involved and that there would be no problem with faxing the form. Following the file review, he called to advise us that he had determined that Dana was in fact eligible for income assistance. Dana was happy to learn this and, not surprisingly, withdrew her request for information to be faxed to her band. We closed our file.

Voting matters

Ministry of Community Development

Many of the complaints our office receives about local and regional governments concern the manner and adequacy of public consultation. Often local residents have a chance or right to be consulted about a decision, and in a few cases, citizens actually have the power to block a proposal they disagree with. The *Local Government Act* and the *Community Charter* require an approval process for decisions that have long or large impact, such as a plan to borrow $50 million over 20 years.

When a matter is so significant that the legislature requires public approval, it is particularly troubling if the procedures involved are not both clear and fair.

Our experience with complaints about referenda and similar procedures suggests there is a huge variation in both the process for, and the understanding of, referenda around the province. In a small or middling town a referendum may happen only once in a decade, so it comes as no surprise that neither local citizens nor local government staff have much related experience or skill. And there are pitfalls. As some local governments have discovered, residents can get incensed if they perceive their taxes are being spent to promote a Yes vote on something they do not want, and the resulting discord can simmer a long time.

While we were investigating several complaints related to a referendum, we learned that the Ministry of Community Development planned to develop a best practice guide on how to hold one. The idea was to help local governments, but we believed such a guide also could help local residents by letting them know what to expect and what to look for at referendum time.

We asked, and the ministry agreed, for the guide to include coverage of the issues most commonly complained about. These issues and questions include:

- when and how the rules on voting in a referendum are different from rules in local general elections;
- what type and amount of information should or must be made public in the referendum process;
- what the local government should or must consider in order to separate its function in running the referendum vote from any actions it takes to promote a Yes result;
- whether a local government can and should use its resources to promote a Yes result; and
- whether a local government can and should involve other public agencies in the promotion of a referendum.

The ministry agreed that its guide would address these questions and offered to provide a draft of the guide for our comment.

In the fall of 2009, when this report was going to press, the ministry's guide was expected to be posted on its website within a few weeks.

Case Summaries – Local Government

City needs help to respond reasonably to barking dog complaint

Municipality

Vancouver Island/Sunshine Coast

Fran came to us because she had been disturbed by the barking dogs of her neighbours and didn't agree with how her city had responded to her complaints about the noise.

Fran said she had asked her neighbours to stop their dogs from barking so much, but they had not taken any effective action. She then contacted the city for help. While the city had sent Fran's neighbours a warning letter, she didn't think that had made a difference, so she called the city again. This time, a bylaw enforcement officer sent Fran a letter asking her to keep a log of when the dogs barked, and suggesting she should ask two of her neighbours to do so as well. Fran was reluctant to approach her neighbours with this suggestion, since she didn't know them well. She thought it should be the city's job to maintain a log and to get her neighbour's involved. She decided to contact our office.

After receiving Fran's complaint and discussing it with her, we reviewed the relevant legislation, and contacted the city's bylaw enforcement supervisor. We were satisfied that in responding to Fran, the city had followed its normal process for dealing with complaints about barking dogs. The supervisor also explained that the city's general counsel had advised them that asking for noise logs from two other affected local residents would help demonstrate that the noise concern was general, not just a conflict between two neighbours. As well, the city was aware that any fine it issued for violating its noise bylaw could be challenged in court. If this happened, having evidence from more than one source would help the city defend its position. The supervisor also said that if Fran could supply the names of two neighbours who she believed were also disturbed by the barking dogs, the city would send them blank noise logs so she would not have to do so herself.

The city's reasons for asking for the noise logs appeared reasonable and well-grounded, and the city had also agreed to send blank noise logs to Fran's neighbours. We viewed this as a satisfactory resolution to Fran's complaint, so we explained this to her and closed our file.

A road by any other name...

Municipality

Lower Mainland

When Mr. G called us he had been unable to get his car out on to the street for a few days, due to a heavy snowfall. Between two and four feet of snow had fallen in the last week, and that was only the most recent part of what had already been a hard winter. This was a particularly serious problem for Mr. G because he was ill and in need of regular medical care. When he called us, he had cancelled his weekly hospital treatment for the day before. His daily nursing care had been sporadic. Some nurses had been willing and able to park and walk the last block to his house, but not all. He lived in a small town and had called the staff at his district's office several times. He said they had told him that the district did not plough lanes and that his driveway opened onto a lane not a road. Mr. G thought his lane was a road, and questioned why the district had ploughed it in previous years.

Though Mr. G was focused on the eternal question of what makes a road a road, our first concern was his care needs. We established that ambulance service was still available to him and that he had neighbours who could get him in and out if needed. We then left a message for the district about Mr. G's ploughing complaint.

And the district was ready for us. Staff cleared out the lanes and the piles of snow in front of both of Mr. G's driveways overnight. They then produced a four-page policy on winter operations. The policy lists the district's priorities for ploughing, starting with steep hills, and followed by access to the hospital and other emergency services. The policy states how much snow justifies paying overtime and calling out staff, when a backhoe should follow the plough to clear driveway entrances, and every street that needs to be ploughed before the job is complete.

District abandons expropriation notice

Municipality

Lower Mainland

Flynn contacted our office because he wanted his district to abandon the Notice of Expropriation that was attached to part of his property.

The district had registered a Notice of Expropriation on a portion of the property more than 20 years ago. Flynn later bought the property, with the notice attached. The notice had never been used, and Flynn had been trying since 1997 to have the district abandon it. In 2007, Flynn received a letter from the district asking that he grant it a right-of-way so that it could carry out flood protection work on his property. The letter also stated that the district was willing to cancel the Notice of Expropriation when Flynn registered the right-of-way with the Land Titles Office. As the district had not been willing to cancel the notice before, Flynn believed the district's offer to cancel it now was conditional on his granting the right-of-way. He complained to us.

We contacted the district to get its views on Flynn's complaint. Shortly after we first spoke with staff there, they called us back to say the district planned to abandon the Notice of Expropriation whether Flynn granted the right-of-way or not. A few weeks later, we received copies of documents that confirmed the district had abandoned the Notice of Expropriation. We ensured that Flynn had received these documents, then closed this file as resolved.

The devil is in the details

Municipality

Vancouver Island/Sunshine Coast

Donald contacted us on behalf of his mother, who was planning to subdivide their family's property to create more building lots. Donald was upset that the city wanted his mother to pay a fee of about $35,000 to connect to the new part of the sewer system if she went ahead with her plan.

The original home on the family property was connected to the existing sewer line at a minimal cost when the city installed the line. According to Donald, no one told them they would have to pay an extra fee for sewer service if they subdivided their property in the future.

Looking at Donald's complaint required us to consider the nature of the fees the city planned to charge. Municipalities are entitled to charge for the services they install or provide. Connection fees, development cost charges, local service area charges, parcel taxes and latecomer fees are all fees allowed by the Local *Government Act* or the *Community Charter*. To create a fee, however, the municipality must pay attention to and follow the rules that apply to the different kinds of fees. In this case, the municipality had chosen to apply a latecomer fee to those who joined the sewer system after it was built. Under the *Local Government Act*, this type of fee applies only when extra services, such as greater capacity or length, are required as a result of an earlier subdivision or development. We questioned whether the municipality had the legal authority to assess a latecomer fee in this situation and asked the municipality to consider that issue.

We did not suggest that the city should not impose any kind of service charge in this situation. The municipality had spent public funds on the sewer system, and local owners who decided to develop their properties would benefit from that spending. The authority to create development cost charges exists for just this kind of situation, and the city could pass a bylaw allowing it to do so.

Because the city accepted our concerns about the latecomer fee as valid, it cancelled the fee. However, the city was entitled to create bylaws to replace the fees it had cancelled for lots that connected to the new sewer system.

District offers apology and meeting

Municipality

Vancouver Island/Sunshine Coast

Don contacted our office with two complaints about his district.

Don's neighbour had removed approximately 35 dump truck loads of soil from his own property. Don said his property had been damaged in this process, and that the soil removal was against a district bylaw. Don had also complained to the district that his neighbour was operating an illegal home-based business, and he was dissatisfied with the district's response.

Don had met with the district's former chief administrative officer about his first complaint in 2006. He said that the district had promised him that it would obtain an arborist report and a geotechnical report to determine whether the removal of soil from his neighbour's property had damaged Don's property. But Don had not heard back from the district.

After we contacted the district about Don's complaints, the new CAO acknowledged that the district had not adequately responded to him and agreed to apologize. The CAO also offered to meet Don on his property, so he could observe and try to address the issues himself. The district agreed to provide Don with copies of arborist and geotechnical reports it had recently obtained.

We also investigated Don's concern about how the district responded to his complaint about his neighbour's business. We learned that the district had investigated Don's complaint and had sent him the results in writing. However, as Don had further questions and concerns, a bylaw officer agreed to speak with him, explain the district's actions and allow him to outline any ongoing concerns. If appropriate, the bylaw officer agreed to conduct further investigation and let Don know the result.

Retraining funds restored to former tree faller

WorkSafeBC

Vancouver Island/Sunshine Coast

Frank was unable to return to his previous job as a tree faller because he had been injured in a workplace accident. He complained to us because WorkSafeBC had drastically lowered the amount of money it was offering to give him for retraining as part of his rehabilitation plan.

When Frank first applied for funding in 2001, WorkSafeBC had offered him approximately $83,000 to pay for retraining as a helicopter pilot. The course was later cancelled and Frank temporarily returned to work as a faller. His injuries eventually prevented him from continuing this work, and when Frank tried to access the retraining money in 2004, WorkSafeBC told him that only $36,000 was now available. The funding decrease was due to legislative changes. Meanwhile, WorkSafeBC had also rejected Frank's new proposal that he retrain as a music teacher.

We contacted WorkSafeBC to discuss Frank's complaint. While these discussions confirmed that funding levels had decreased due to legislative changes, a vocational rehabilitation consultant did request a review of Frank's circumstances. When this was complete, the vocational rehabilitation manager decided to restore the initial amount of funding, because it was not Frank's fault that he was unable to complete his retraining before the funding levels changed. WorkSafeBC informed Frank of this decision. As these actions resolved Frank's complaint, we closed our file.

WorkSafeBC fixes mistake and replaces hearing aid

WorkSafeBC

Interior

Eric was a senior whose hearing aids were provided by WorkSafeBC. He contacted us after he lost one of them by accident, and had problems getting WorkSafeBC to replace it.

Eric's replacement request was denied by WorkSafeBC on the grounds that he had not lost the hearing aid in an incident that had the potential to injure him. He thought that was unfair. Eric also had been unable to apply for a review. He had been out of the country when the decision letter arrived, but upon his return informed the claims officer that he wanted to apply for a review, and requested the necessary form. Although the deadline was only a few days away, he was not told that he could find the form on the Internet or have it faxed to him. Instead, WorkSafeBC mailed him the form. By the time he received the form, the deadline had passed, and so he did not apply for review.

We decided to investigate two issues: Whether WorkSafeBC had applied its policies appropriately, and whether it followed a reasonable procedure when Eric asked to apply for a review. We researched the applicable policies on the replacement of hearing aids and compared them with the reasons WorkSafeBC gave Eric in the denial letter. After doing so, we discussed with WorkSafeBC the fact that the policy it relied on in the denial letter specifically mentions replacement of items lost due to an accident arising from a worker's lifestyle. It goes on to state that WorkSafeBC can decline requests when "deliberate or reckless abuse has occurred" or when replacement requests are excessively frequent.

We pointed out that the policy does not give accidental loss as a reason not to authorize replacement. We also noted that it was not clear in this case whether the claims officer had turned her mind to these aspects of the policy. We suggested that it seemed the claims officer had instead looked at the concept of "accidental" and used a definition of "accident" that involves the potential for personal injury. We noted that the policy did not refer to personal injury, although this seemed to be the test used by the claims officer.

We also observed that the claims officer cited personal injury criteria found in a different policy, which relates to replacement of a hearing aid that has been broken or damaged at work. As Eric had not claimed this, we did not see why this policy should apply.

After we began our investigation, WorkSafeBC indicated to us that Eric's issues might be resolved by him applying to WorkSafeBC's Review Division for permission to file a late application for review.

We discussed this option with Eric, who was happy to submit the application. The Review Division then granted a time extension, and the chief review officer used his discretion to send the matter back to WorkSafeBC for a new decision. WorkSafeBC then decided in favour of Eric, who was very pleased to have his hearing aid replaced.

BC Housing agrees to clarify reasons to unsuccessful bidder

BC Housing

Ms. E, a lawyer, contacted us on behalf of a company that had a complaint about the bidding process on a contract with BC Housing.

The company had submitted an unsuccessful bid to supply BC Housing with appliances. Ms. E asserted that, because of the high volume of the company's operation, it was able to offer lower rates than its competitors. She also told us that BC Housing had not responded to the company's enquiries about the bidding process.

We investigated whether BC Housing had provided adequate and appropriate reasons for denying the company's bid. When we contacted BC Housing, staff explained that price was not the only issue that influenced their decision, and showed us that the bid documents set out those other factors. More to the point, they told us that the successful bidder had submitted a lower bid than the company Ms. E represented. Staff told us that they had returned phone calls from Ms. E, but had not been able to connect with her for a discussion.

While it appeared that the bidding process was fair, we noted that the letter BC Housing sent to inform the company of the decision was brief and did not appear to explain the reasons for the decision. Following our discussion, BC Housing staff agreed to send an additional letter to the company, providing a fuller explanation. After reviewing this letter we concluded that BC Housing had given adequate and appropriate reasons, and we considered the matter settled.

WorkSafeBC makes changes to prevent future errors

WorkSafeBC
Lower Mainland

David contacted us because he was unhappy with WorkSafeBC's response to his requests to have his payments and fines cancelled.

David owned a small business and so paid monthly fees to WorkSafeBC. In 2001, he moved his business and he believed that he likely sent them a change of address at that time. In January 2007, WorkSafeBC informed him that he owed them $708 for late payments and fines. David was confused by this since he was not aware of the overdue fees and thought he should have been notified before they became so large. He did some checking and realized that WorkSafeBC had been sending mail to his old address, so he again informed them of his correct address. When he asked WorkSafeBC to reverse the fees, staff told him they couldn't do that, but explained how to apply to have his bill reviewed, which he did. WorkSafeBC then reviewed David's request, but decided against cancelling his bill. He then filed an action with small claims court, but in January 2008, the judge told David that he did not have jurisdiction to hear his complaint. David was at a loss over what to do.

About two months later, WorkSafeBC contacted David again. As a result of what they had learned while preparing for the court action, they decided to cancel David's penalties and provided him with a cheque for $135.90 to cover his costs for attending small claims court. David was not satisfied with this response and asked to be paid for the lost time and effort he had put into trying to cancel his bill. WorkSafeBC responded with a letter explaining why David had been billed for late fees, what they had done to correct the problem, and that they were not willing to cover his additional costs. They also explained that back in 2001, they had mistakenly blocked mail from being sent to him. They apologized for their mistakes and said they had changed some of their practices and policies to prevent similar mistakes from happening again. Lastly, the letter informed David that there were no provisions in the *Workers Compensation Act* that entitled him to further compensation.

David contacted us after receiving this letter, and we agreed to find out more about the changes WorkSafeBC had made. We learned that in response to David's problem, WorkSafeBC had instructed its staff to always check for blocks when a client complained about not receiving mail. They had also outlined the precise steps that staff should take when a client complains about mail or incorrect contact information. In addition, WorkSafeBC created a policy that requires staff to enter a reason when they put a block on a client's mail. We were satisfied with this response because WorkSafeBC recognized its mistake, apologized, compensated David for his costs for attending small claims court and made changes to avoid similar problems in the future.

WCAT corrects unfairness

Workers' Compensation Appeal Tribunal
Interior

Dan complained to our office because he believed that the Workers' Compensation Appeal Tribunal (WCAT) had been unfair when it decided to treat several decisions he wanted to appeal as one. WCAT is the final level of appeal in the provincial workers' compensation system. It is separate and independent from WorkSafeBC.

Over time, Dan had received five separate decisions on different claims from WorkSafeBC. He took each of these decisions separately to the Review Division of WorkSafeBC. However, he was unhappy with the Review Division's decisions, and wanted to appeal all of them to WCAT. When he did, staff there told him that all the decisions would be "administratively joined" and heard at one hearing.

Dan believed this was unfair, as it meant that the outcome of his appeal would also be interpreted as a single decision. This would deny him the right to seek a reconsideration on one of the individual claims. This was important to him because he had new medical evidence that he believed fit the criteria that would allow him to seek a reconsideration.

As part of our investigation, our office reviewed the applicable legislation and policy, spoke with WCAT staff and sent them written questions about the fairness of the process. Upon review, WCAT agreed that there was potential for unfairness in the process it used when deciding to join Dan's separate decisions into one appeal. Its staff are now amending the policies related to this process and our office is monitoring these revisions.

WCAT also amended the sections of policy that related to Dan, in order to fast-track his reconsideration.

When we told Dan about the resolution of his complaint, he said that he was happy that this meant change for not just him, but also other injured workers.

Decision fast-tracked after mix-up with form

WorkSafeBC
Northern B.C.

Laura came to us because she thought she shouldn't have to wait another three months for a decision after a mix-up with the application she sent to WorkSafeBC's Review Division.

In April 2008, Laura went to her local WorkSafeBC office to submit her request that a decision about her case be reviewed by WorkSafeBC's Review Division. Afterwards, each time she called to find out what was going on, staff at the local office said her request for review was in progress. After several months of hearing this, she called WorkSafeBC's head office. Staff there said the local office had not sent in the second part of her request for review. They told her to complete it and send it in, which she immediately did. Once she'd done this, they told her that because the Review Division had just received her completed request, she would still have to wait another three months or more for its decision. Given that no one at WorkSafeBC had informed her that her application for review was incomplete, she didn't think she should have to wait so long.

That's when Laura called us. Although our investigation did not confirm her understanding of what had happened, we did learn that the local WorkSafeBC office had not forwarded her request for review until months after she had submitted it. As well, when the request was submitted, WorkSafeBC had not noticed that it was incomplete.

After discussions with our office, the Review Division recognized the need to fast-track Laura's request. Once it received all her material, the Review Division assigned Laura's file to an officer who was asked to make a decision within two weeks.

When we confirmed the division had issued its decision within this time, we closed our file. As a result of our intervention, Laura had her answer in October 2008 instead of January 2009. She thanked us for helping her speed up the process.

Missing letter delays payment to injured man

WorkSafeBC
Lower Mainland

Fletcher came to our office because he was having trouble getting WorkSafeBC to increase his disability payment.

Fletcher's problems started when he injured his lower back lifting a couch at work. He made an injury claim with WorkSafeBC and was eventually awarded one per cent of a full disability payment. However, Fletcher was dissatisfied with this amount and as a result, pursued a series of reviews and appeals that took several years to resolve.

As part of this process, Fletcher had appealed to the Workers' Compensation Appeal Tribunal (WCAT) a decision about his injury that had been made by the Review Division of WorkSafeBC. WCAT is separate and independent from WorkSafeBC and is the final level of appeal in the provincial workers' compensation system.

In January 2007, WCAT ruled that Fletcher's injury was permanent and that he was suffering chronic pain. WCAT then sent Fletcher's claim back to WorkSafeBC with instruction for it to decide whether to increase his disability payment.

A year went by without anyone from WorkSafeBC contacting Fletcher, and he had difficulty contacting them himself. He decided to call us.

We contacted WorkSafeBC and asked why they had not been in touch with Fletcher about implementing WCAT's January 2007 decision. Staff at WorkSafeBC said they had never received the WCAT decision letter on Fletcher's appeal. After our conversation with WorkSafeBC, they obtained a copy of the missing decision letter and then increased Fletcher's disability payment. They gave this to him as a lump sum amount of approximately $4,600. As this action resolved Fletcher's complaint about the lack of response by WorkSafeBC, we closed our file.

To certify or not to certify

Industry Training Authority
Lower Mainland

Lawrence called our office because he had a complaint about the Industry Training Authority (ITA).

Lawrence was in an apprenticeship program and was sponsored by his employer. Ordinarily, an apprentice must have the recommendation of his or her sponsor to be approved for certification. When Lawrence applied for certification, his employer had not given this recommendation, though the employer had also not provided the ITA with any written information specifying any particular problems.

The ITA informed Lawrence that, under the circumstances, it would accept a recommendation from another person certified in the same trade. The ITA told Lawrence in writing that if he submitted such a recommendation, it would issue his certification. Lawrence did get a recommendation, and sent it to the ITA. However, despite the fact that Lawrence had given the ITA exactly what it had asked for, the ITA denied his application.

Lawrence believed that the ITA had not treated him fairly. In his view, the ITA had promised to certify him if he met certain conditions, and the ITA should have kept its promise. We investigated whether the ITA used a fair procedure in determining whether to certify Lawrence.

During our investigation, we found the ITA dealt frankly and openly with our office. The ITA seemed to value transparency and fairness. ITA staff acknowledged that they had told Lawrence they would issue the certification, and that they had subsequently denied his application. However, the ITA had reasons for changing its position. In particular, the ITA had since received written information from Lawrence's employer. Based on all of the information before them, the ITA believed that it would not be appropriate to issue Lawrence's certification. When it denied Lawrence's application, the ITA provided him with written reasons for its decision, and gave him information on how to appeal.

ITA staff told us that situations such as Lawrence's do not happen often, and that they did not have a specific policy that sets out how to respond to them. The ITA acknowledged that having a more formal policy for handling situations in which an employer will not sign a recommendation for certification would be helpful. It would also reduce the likelihood that another person would be given inaccurate information about what the ITA could or would do in those circumstances. ITA staff had already been developing such a policy before our office's involvement, and they committed to finalizing it.

In the meantime, the ITA acknowledged that the information given to Lawrence might have misled him. Given that Lawrence had already missed the deadline for appealing the ITA's initial decision, the ITA agreed that he could apply to have the decision reconsidered by its CEO. If the CEO maintained the decision, Lawrence would have the right to appeal to the Industry Training Appeal Board.

In our view, the ITA's response to the concerns raised by Lawrence's complaint remedied any potential unfairness and resolved the matter fully, both for him, and for the future.

Forestry worker allowed to apply for Transitional Assistance Program

Ministry of Community Development
Vancouver Island/Sunshine Coast

A forestry worker named Dwayne contacted our office to complain that his application to the Transitional Assistance Program was denied.

The Transitional Assistance Program is run by the Community Development Trust, under the jurisdiction of the Ministry of Community Development. The program provides funding to older forest workers so that they can transition to retirement, opening opportunities for junior workers.

In order to qualify for the program, a worker has to end his or her employment, creating a vacancy for someone else to fill. Dwayne told us his application was denied because he was receiving long-term disability (LTD) benefits and had therefore not ended his relationship with his employer. The only way he could be considered eligible was to provide documents from his insurer showing that he would be able to return to work by the end of the month. This would establish that he held a permanent job that would be available to others once he retired. Dwayne was reluctant to do this because he was awaiting knee surgery and didn't know when it would happen or how it would turn out.

We agreed to investigate whether the ministry had provided adequate and appropriate reasons for denying Dwayne's eligibility for the program. In doing so, we considered both the purpose of the Transitional Assistance Program and the purpose of LTD benefits. We also considered the applicable trust policies and the *Workers Compensation Act*. LTD benefits are meant to provide income for workers who are deemed totally disabled and therefore unable to work in their own occupation while their disability persists. However, a disabled worker may recover and return to his or her previous employment. The purpose of the Transitional Assistance Program is to provide permanent new employment opportunities for younger forest workers. Since someone receiving LTD benefits may return to work, no permanent vacancy is created for a new worker, and the intent of the Transitional Assistance Program cannot be realized.

However, when we brought Dwayne's concerns about his LTD claim to the attention of the trust's executive director, she agreed to let Dwayne write a letter stating his intention to retire and end his LTD benefits at that time. As this would meet the intent of the program, Dwayne's application could be processed. Confirmation from his insurer that he had stopped receiving LTD benefits would not be required until after his retirement date.

As the ministry had answered Dwayne's questions and he could now apply for the Transitional Assistance Program without risking his LTD claim, we considered the matter settled and closed our file.

Order replaced with warning letter

Interior Health Authority
Interior

Drew contacted us after the local public health inspector ordered him to stop operating a non-approved slaughterhouse. He thought this was unfair since the inspector had not given him an opportunity to dispute the information relied upon in the order.

Drew explained that the order was issued based on a neighbour's report that he had slaughtered an animal on a nearby farm. Drew said that no inspection of his premises or records took place, and he did not have the opportunity to provide contrary evidence before the order was issued.

Since the public health inspector who issued the order was employed by the Interior Health Authority (IHA), we notified the IHA of Drew's complaint. We asked its staff for information on how they go about issuing these types of orders. IHA staff noted that the order was meant to be preventive and to express the public health inspector's expectation that Drew would comply with the *Meat Inspection Regulation* that had recently come into effect. They pointed out that the order did not impose any penalty. IHA staff said that public health inspectors had met with Drew soon after issuing the order and reviewed the documents he presented. We also learned that at Drew's request, the IHA had reviewed the order and concluded that it was technically flawed. As a result, the order had been set aside, but was still on file.

Following these discussion with us, the IHA agreed to remove the order from Drew's file. In place of the order, the IHA sent a preventive letter that conveyed the intended message. As the health authority had considered Drew's concerns and undertaken a review that resulted in a decision to set aside the order and replace it with a more appropriate warning letter, we considered the matter resolved and closed our file.

WorkSafeBC makes changes to avoid accidental release of medical records

WorkSafeBC
Lower Mainland

Earl contacted us because he didn't like how WorkSafeBC went about requesting his medical records when he made a claim.

WorkSafeBC had requested Earl's medical records from a specialist he had been seeing for reasons unrelated to his claim. While this is allowed, WorkSafeBC staff should have specified that they were only asking for records that were connected to Earl's workplace injury. This didn't happen, so his specialist's office ended up sending records that disclosed Earl's unrelated medical condition.

During our investigation, we learned that it was standard practice for WorkSafeBC staff to detach the signed medical release section from claim forms and attach it to their requests for medical records. In Earl's situation, the WorkSafeBC case manager had erred by not including the details of his workplace injury with the records request. This made the request general, so the specialist's office released records that had nothing to do with Earl's claim.

Case Summaries – Work and Business

In order to resolve Earl's complaint, WorkSafeBC agreed to remove the irrelevant medical records from his file. They also changed their practices so that they now send the entire claim form, including the specifics of the workplace injury, and not just the medical release section, when requesting records. WorkSafeBC staff blocks out any irrelevant information, such as wage rate or hours of work, before sending the records request. WorkSafeBC also apologized to Earl for the mistake. These actions both addressed Earl's particular complaint and will help prevent similar mistakes from happening again. We therefore considered the complaint resolved.

Security Call Buttons Installed at Kamloops Regional Correctional Centre's Segregation Cells

Kamloops Regional Correctional Centre
Interior

Dean, an inmate at the Kamloops Regional Correctional Centre (KRCC), contacted us to complain that KRCC was the only correctional centre in the province without call buttons or video cameras in its segregation cells. He said this presented a potential safety risk, as some correctional centres were now placing two inmates in segregation cells.

We learned that Dean was correct. KRCC was the only secure adult correctional centre in the province that did not have either security call buttons or video cameras installed in its segregation cells. As this appeared to be the minimum reasonable safety precaution at all other correctional centres in the province, we discussed the installation of one of these devices in its segregation cells with KRCC. After reviewing our concern, KRCC agreed. It now has security call buttons installed in all of its segregation cells.

Fisherman's fine refunded

Court Services
Vancouver Island/Sunshine Coast

Darren came to our office looking for help with getting a refund from Court Services.

Darren had taken his young son fishing in the fall and had been ticketed for fishing for salmon with a barbed hook, which is illegal. However, Darren told us that he disagreed with the charge because his son, not he, had been fishing, and his son was fishing for bullhead, not salmon. Darren explained that it is not illegal to fish for bullhead with a barbed hook. He went to court and pleaded not guilty to the charge, which carried a $150 fine. He was given a court date for mid-November, but was unable to attend because he had to work. A day before the court date, Darren went to the court registry and paid the $150 fine.

A week later, the Department of Fisheries informed Darren by letter that the charges against him had been dropped. Darren then contacted the court registry to ask for a refund of his $150 fine, but was told that no refund was available.

In December, Darren came to our office for help. After reviewing his circumstances, we contacted the court registry and explained that we thought they should consider refunding Darren his $150, given that the charges against him had been dropped. The court registry agreed and refunded him the $150. We were satisfied with the court registry's resolution and therefore closed our file.

OPGT provides clear written explanation to man with head injury

Office of the Public Guardian and Trustee
Lower Mainland

Deepak had suffered a head injury at work a few years before he called us. As a result, his financial affairs were being administered by the Office of the Public Guardian and Trustee (OPGT). He complained to us that he no longer wanted the OPGT to manage his finances, but he had not been able to get information from them on the steps required to end this arrangement.

We contacted the OPGT's regional manager about Deepak's complaint. The regional manager told us that Deepak had recently moved, and so had just been assigned a new case manager. The regional manager informed the new case manager of Deepak's concerns.

We also suggested that the OPGT explain the steps necessary to regain his independence to Deepak in writing, rather than just verbally. The OPGT had not yet done this, and since Deepak had complained to us about not understanding the process, we thought it would be helpful. The case manager agreed and immediately sent Deepak a letter and summary sheet that clearly outlined the steps he would need to take to request an assessment for a Certificate of Capability. Once Deepak obtained this certificate, he would be able to manage his own finances again. The letter listed full contact information for the people who could assist Deepak at each step of the process. After reviewing the letter and speaking to Deepak, we concluded that this addressed Deepak's complaint about the OPGT's unwillingness to provide him with information about how he could end their management of his financial affairs. We therefore closed this file.

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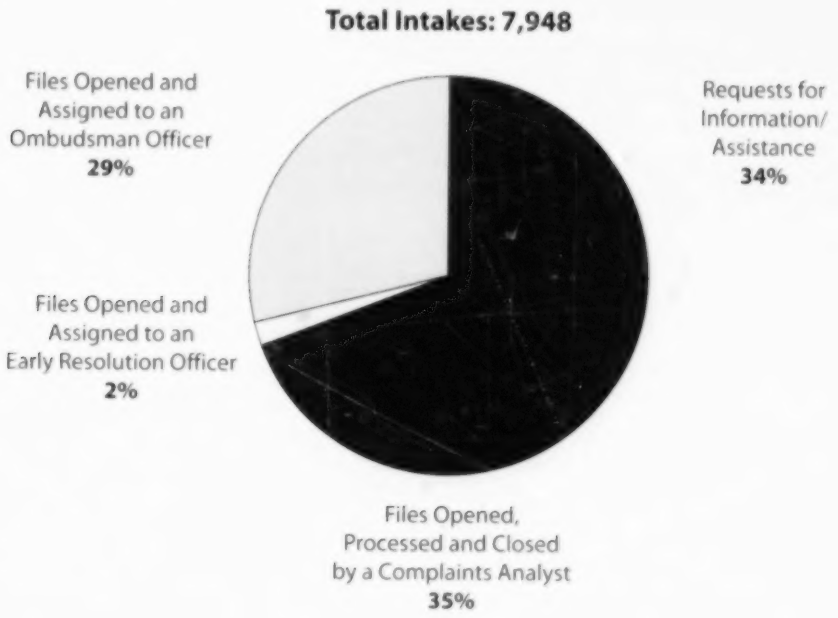
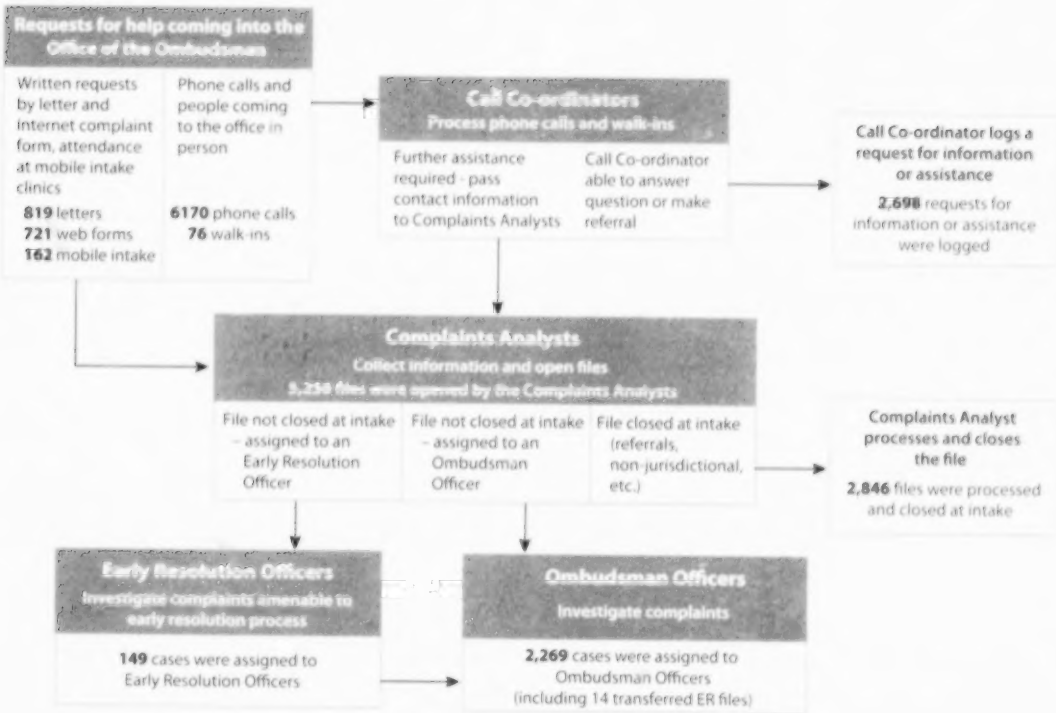
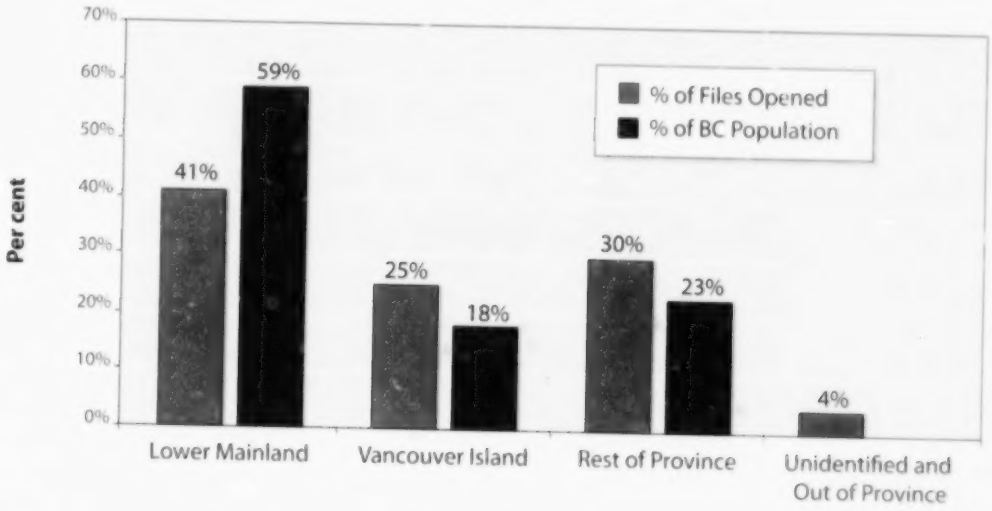
How Intakes Were Processed in 2008/09


Total Intakes: 7,948
Files Opened and Assigned to an Ombudsman Officer 29%
Requests for Information/ Assistance 34%
Files Opened and Assigned to an Early Resolution Officer 2%
Files Opened, Processed and Closed by a Complaints Analyst 35%


Requests for help coming into the Office of the Ombudsman
Written requests by letter and internet complaint form, attendance at mobile intake clinics
819 letters
721 web forms
162 mobile intake
Phone calls and people coming to the office in person
6170 phone calls
76 walk-ins
Call Co-ordinators
Process phone calls and walk-ins
Further assistance required - pass contact information to Complaints Analysts
Call Co-ordinator able to answer question or make referral
Call Co-ordinator logs a request for information or assistance
2,698 requests for information or assistance were logged
Complaints Analysts
Collect information and open files
5,358 files were opened by the Complaints Analysts
File not closed at intake – assigned to an Early Resolution Officer
File not closed at intake – assigned to an Ombudsman Officer
File closed at intake (referrals, non-jurisdictional, etc.)
Complaints Analyst processes and closes the file
2,846 files were processed and closed at intake
Early Resolution Officers
Investigate complaints amenable to early resolution process
149 cases were assigned to Early Resolution Officers
Ombudsman Officers
Investigate complaints
2,269 cases were assigned to Ombudsman Officers (including 14 transferred ER files)

Jurisdictional Files Opened in 2008/09
Geographical Distribution of Files vs. Population



Breakdown of Files by Region

	Files Opened	Jurisdictional Files Opened
Lower Mainland	2,128	1,955
Vancouver Island	1,325	1,208
Rest of Province	1,562	1,429
Unidentified	38	20
Out of Province	197	149
Totals	**5,250**	**4,761**

Statistics

How Intakes Were Processed in 2008/09

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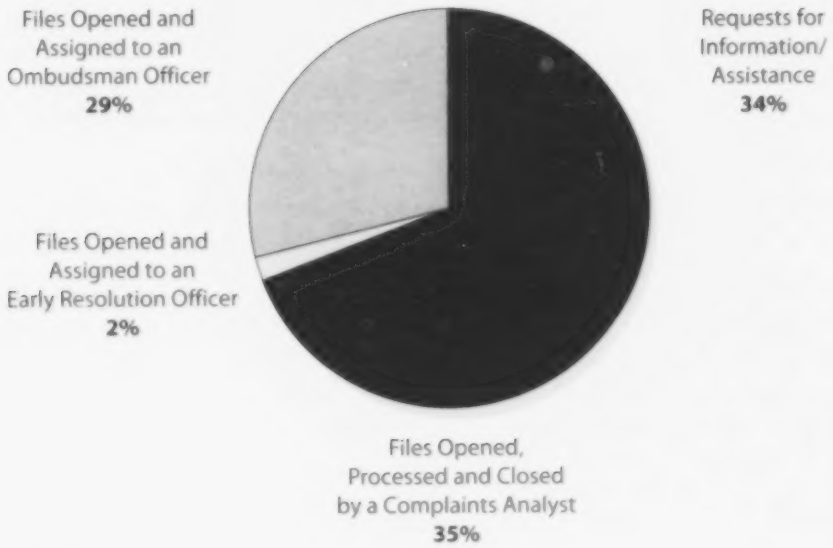
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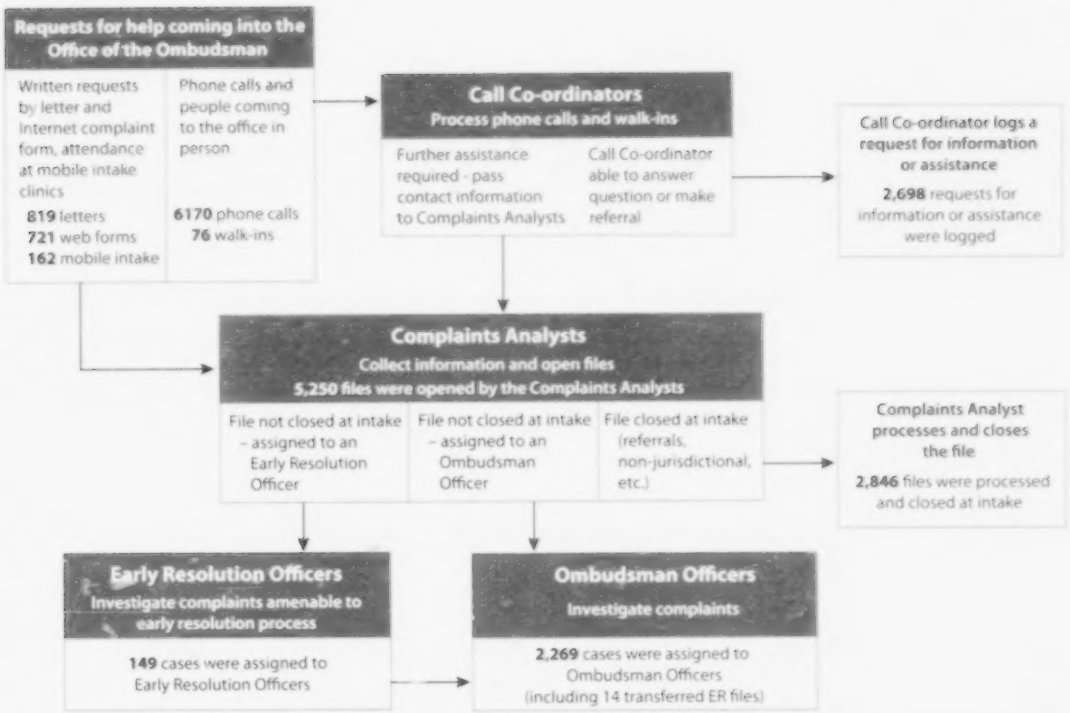
Requests for Information/ Assistance
34%
Files Opened and Assigned to an Early Resolution Officer
2%
Files Opened, Processed and Closed by a Complaints Analyst
35%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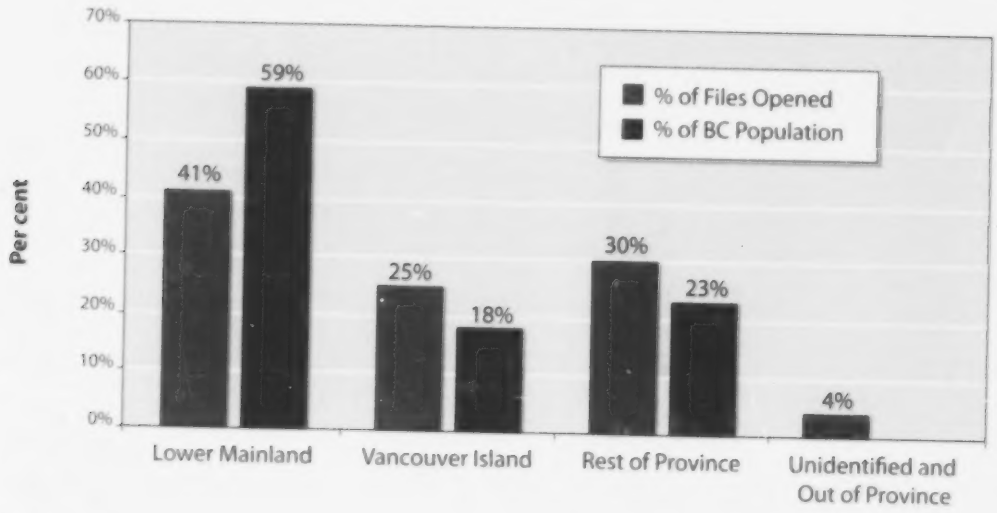

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Files Opened by Electoral District, Fiscal 2008/09[1]

#	Electoral District	Files Opened
1	Abbotsford-Mission	56
2	Abbotsford-South	49
3	Abbotsford West	26
4	Alberni-Pacific Rim	90
5	Boundary-Similkameen	45
6	Burnaby-Deer Lake	42
7	Burnaby-Edmonds	41
8	Burnaby-Lougheed	32
9	Burnaby North	20
10	Cariboo-Chilcotin	57
11	Cariboo North	75
12	Chilliwack	85
13	Chilliwack-Hope	80
14	Columbia River-Revelstoke	42
15	Comox Valley	70
16	Coquitlam-Burke Mountain	21
17	Coquitlam-Maillardville	49
18	Cowichan Valley	115
19	Delta North	19
20	Delta South	20
21	Esquimalt-Royal Roads	68
22	Fort Langley-Aldergrove	33
23	Fraser-Nicola	36
24	Juan de Fuca	79
25	Kamloops-North Thompson	67
26	Kamloops-South Thompson	94
27	Kelowna-Lake Country	46
28	Kelowna-Mission	36
29	Kootenay East	37
30	Kootenay West	67
31	Langley	24
32	Maple Ridge-Mission	72
33	Maple Ridge-Pitt Meadows	72
34	Nanaimo	94
35	Nanaimo-North Cowichan	83
36	Nechako Lakes	46
37	Nelson-Creston	53
38	New Westminster	61
39	North Coast	32
40	North Island	99
41	North Vancouver-Lonsdale	45
42	North Vancouver-Seymour	16
43	Oak Bay-Gordon Head	37
44	Parksville-Qualicum	52
45	Peace River North	35
46	Peace River South	39
47	Penticton	57
48	Port Coquitlam	74
49	Port Moody-Coquitlam	15
50	Powell River-Sunshine Coast	57
51	Prince George-Mackenzie	66
52	Prince George-Valemount	116
53	Richmond Centre	20
54	Richmond East	26
55	Richmond-Steveston	38
56	Saanich North and the Islands	72
57	Saanich South	48
58	Shuswap	56
59	Skeena	28
60	Stikine	31
61	Surrey-Cloverdale	28
62	Surrey-Fleetwood	21
63	Surrey-Green Timbers	22
64	Surrey-Newton	41
65	Surrey-Panorama	56
66	Surrey-Tynehead	59
67	Surrey-Whalley	64
68	Surrey-White Rock	24
69	Vancouver-Fairview	30
70	Vancouver-False Creek	56
71	Vancouver-Fraserview	34
72	Vancouver-Hastings	39
73	Vancouver-Kensington	15
74	Vancouver-Kingsway	18
75	Vancouver-Langara	21
76	Vancouver-Mount Pleasant	58
77	Vancouver-Point Grey	35
78	Vancouver-Quilchena	11
79	Vancouver-West End	43
80	Vernon-Monashee	44
81	Victoria-Beacon Hill	118
82	Victoria-Swan Lake	91
83	West Vancouver-Capilano	19
84	West Vancouver-Sea to Sky	31
85	Westside-Kelowna	84
	Total	4223

Figures for files opened do not include requests for information. These figures also do not include files involving individuals currently residing outside the province, or who did not provide a postal code.

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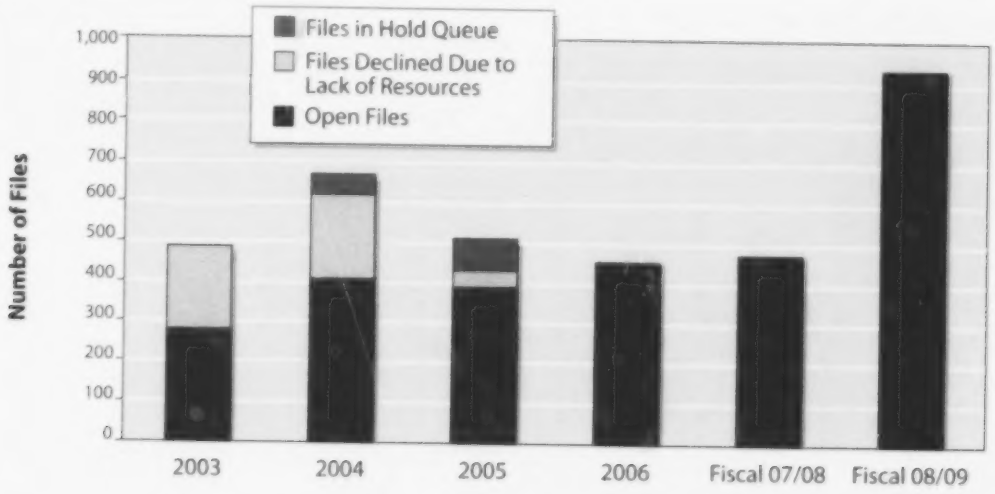
Open and Deferred Files



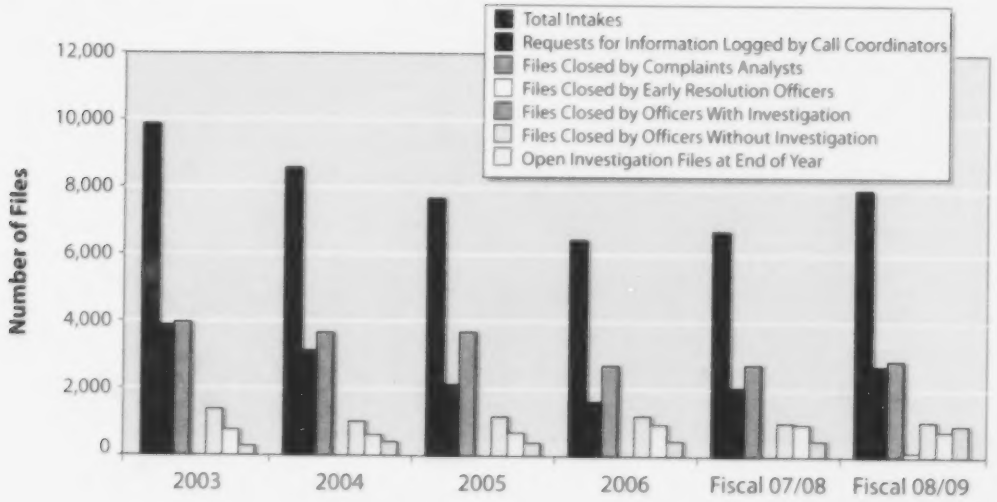
Number of Files at the End of Each Year

	2003	2004	2005	2006	Fiscal 07/08	Fiscal 08/09
Open Files	278	405	387	452	471	934*
Files in Hold Queue	0	50	79	0	0	0
Files Declined Due to Lack of Resources	206	210	42	0	0	0

* Files open at the end of Fiscal 08/09 include 204 files associated with the ongoing systemic investigation into seniors' care.

Statistics

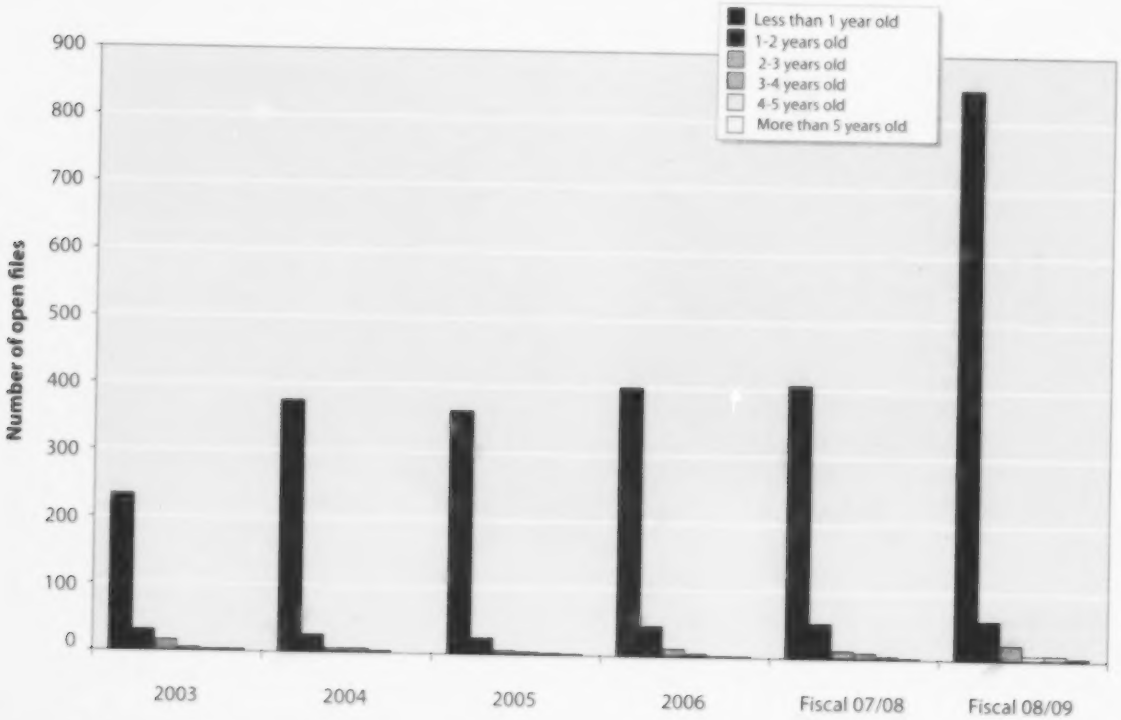
Office Caseload



Breakdown of Office Case Activity

	2003	2004	2005	2006	Fiscal 07/08	Fiscal 08/09
Open at the Beginning of the Year	361	278	405	387	486	471
(Data correction – deletion of duplicate files)	(1)	(2)	1			
Waiting in Hold Queue	0	0	50	79	0	0
Requests for Information - Jurisdictional	2,106	1,608	1,054	825	1,100	1,422
Requests for Information – Non-jurisdictional	1,756	1,512	1,062	797	944	1,276
Files Opened – Jurisdictional	5,494	4,791	4,840	4,243	4,236	4,761
Files Opened – Non-jurisdictional	499	465	506	383	419	489
Files Opened to the Hold Queue	0	187	200	190	0	0
Total Intakes	9,855	8,563	7,662	6,438	6,699	7,948
Requests for Information Logged by Call Coordinators	3,862	3,120	2,116	1,622	2,044	2,698
Files Closed by Complaints Analysts	3,962	3,652	3,683	2,695	2,722	2,855
Files Closed by Early Resolution Officers	0	0	0	0	0	134
Total Closed by Intake Team	7,821	6,772	5,799	4,317	4,766	5,687
Files Closed by Officers With Investigation	1,370	1,007	1,165	1,197	994	1,048
Files Closed by Officers Without Investigation	757	612	690	946	956	764
Total Closed by Ombudsman Officers	2,127	1,619	1,855	2,143	1,950	1,812
Files Re-opened	14	7	2	8	2	14
Open at the End of the Year	278	405	387	452	471	934
Waiting in Hold Queue	0	50	79	0	0	0

Age Distribution of Open Files



Number of Files Open at the End of Each Year

	2003	%	2004	%	2005	%	2006	%	Fiscal 07/08	%	Fiscal 08/09	%
Less Than 1 Year Old	230	▶83%	371	▶91%	358	▶92%	396	▶88%	402	▶85%	843**	▶90%
1-2 Years Old	29		24		22		43		50		56	
2-3 Years Old	14		4		4		10		10		21	
3-4 Years Old	3	▶17%	4	▶9%	2	▶8%	3	▶12%	7	▶15%	6	▶10%
4-5 Years Old	1		1		1		0		2		6	
More Than 5 Years Old	1		1		0		0		0		2	
Total Open Files	278		405		387		452		471		934	

** Files less than one-year-old open at the end of fiscal 08/09 include 204 files associated with the ongoing systemic investigation into seniors' care.

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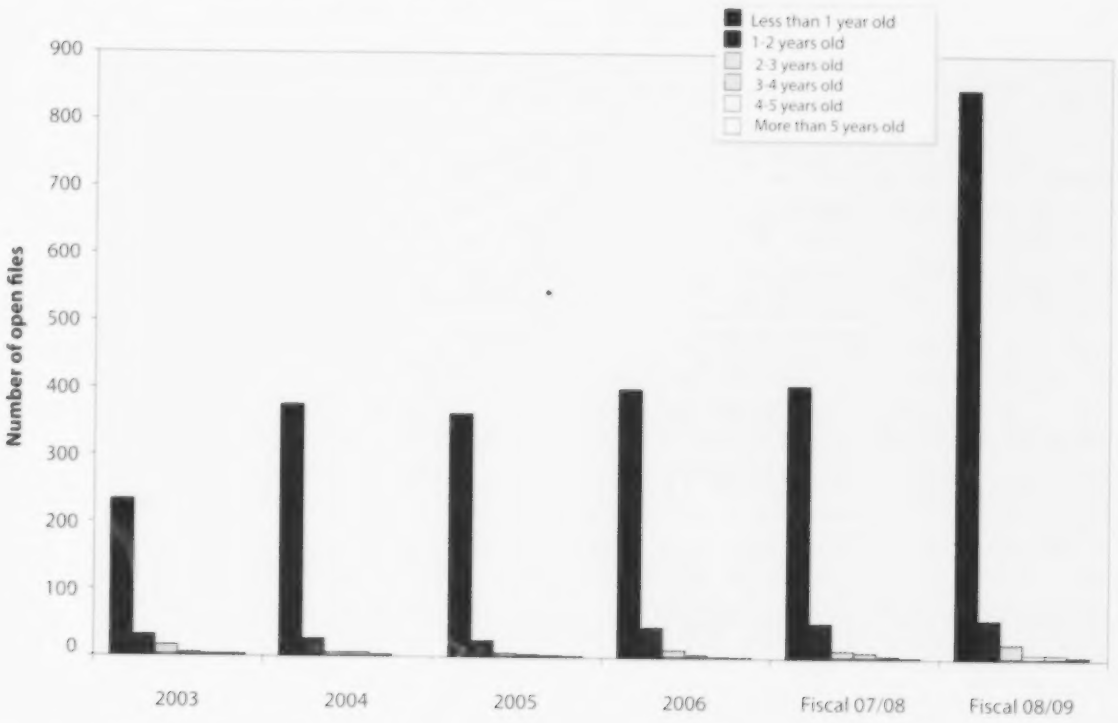

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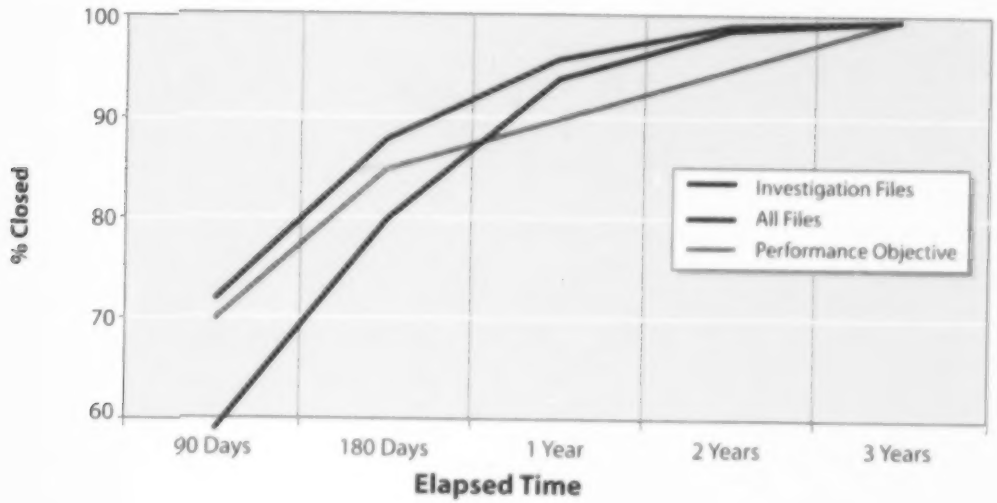
Files Closed in 2008/09
Percentage of Files Closed Within Elapsed Time

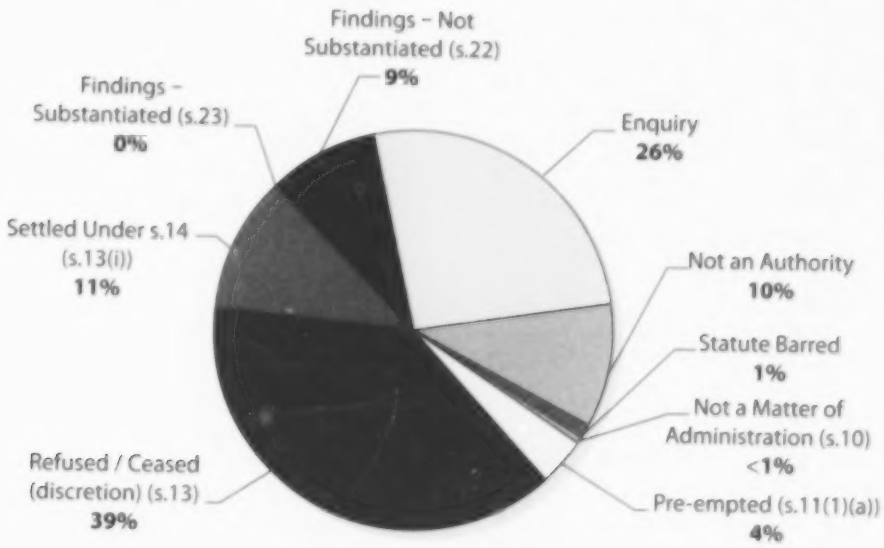


Files Closed

	Closed Within 90 Days		Within 180 Days		Within 1 Year		Within 2 Years		Within 3 Years	
	Files	%	Files	%	Files	%	Files	%	Files	%
Investigation Files	611	59%	829	80%	970	94%	1020	98.9%	1030	99.9%
All Files	1288	72%	1564	88%	1721	96%	1775	99.4%	1785	99.9%
Performance Objective*		70%		85%		90%		95%		100%

*These performance objectives apply to the investigative teams. Files closed at intake are not included in these numbers, nor are files associated with ongoing systemic investigations.

How Files Were Closed in 2008/09


Findings – Not Substantiated (s.22) 9%
Findings – Substantiated (s.23) 0%
Enquiry 26%
Settled Under s.14 (s.13(i)) 11%
Not an Authority 10%
Statute Barred 1%
Not a Matter of Administration (s.10) <1%
Refused / Ceased (discretion) (s.13) 39%
Pre-empted (s.11(1)(a)) 4%

Closing Status	No Investigation	ERP Investigation	Investigation	Total Matters Closed*
Enquiry	1,278	n/a	n/a	1,278
Not an Authority	479	n/a	n/a	479
Statute Barred	39	n/a	n/a	39
Not a Matter of Administration (s.10)	26	n/a	2	28
Pre-empted (s.11(1)(a))	176	n/a	8	184
Refused/Ceased (discretion) (s.13)	1,621	7	340	1,968
s.13(a)	1	0	0	1
s.13(b)	9	0	2	11
s.13(c)	971	1	67	1,039
s.13(d)	0	0	0	0
s.13(e)	276	0	166	442
s.13(f)	82	6	47	135
s.13(g)	138	0	23	161
s.13(h)	144	0	35	179
Settled Under s.14 (s.13(i))	n/a	127	438	565
Findings – Substantiated (s.23)	n/a	n/a	8	8
Findings – Not Substantiated (s.22)	n/a	n/a	448	448
Total Closings	**3,619**	**134**	**1,244**	**4,997**
Total Files Closed*	**3,619**	**134**	**1,048**	**4,801**

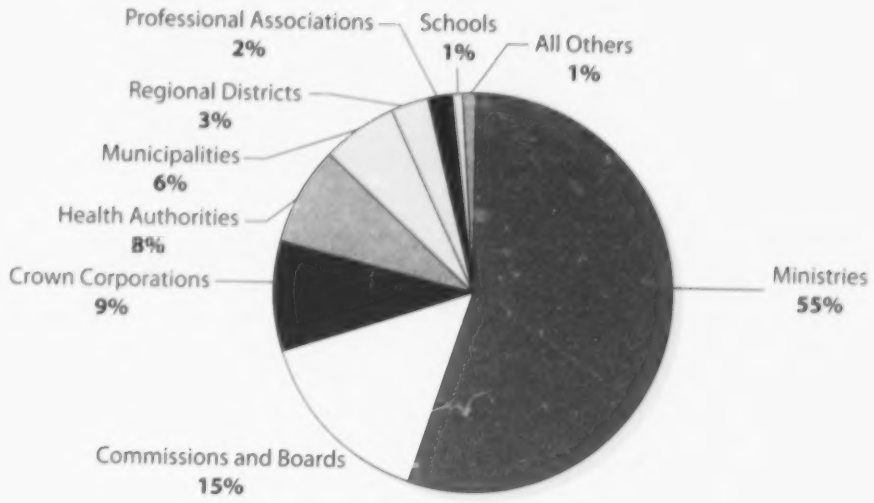
* For investigation files, the number of files closed is no longer the same as the number of closings. Starting July 2003, we began closing each issue, or matter of administration, identified on a file separately. Each investigation file has one or many matters of administration. Therefore, the number of matters closed during a period may be greater than the number of files closed during that period. A file is considered closed when all of its matters of administration are closed.

Significant Authorities, 2008/09

#	Authority	% of Total Jur. Files Opened (4,761 files total)
1	Ministry of Housing and Social Development	15.6%
2	Ministry of Children and Family Development	12.4%
3	Ministry of Public Safety and Solicitor General	7.2%
4	ICBC	5.1%
5	WorkSafeBC	5.1%
6	Vancouver Island Health Authority	4.2%
7	Ministry of Health Services	4.0%
8	Ministry of Attorney General	3.5%
9	Fraser Health Authority	2.5%
10	Interior Health Authority	2.1%
11	BC Housing	1.8%
12	Vancouver Coastal Health Authority	1.7%
13	Public Guardian and Trustee	1.7%
14	BC Hydro	1.5%
15	Ministry of Environment	1.4%

Statistics

Files Closed in 2008/09
Authority Distribution



Total Jurisdictional Files Closed in 2008/09: 4,313

Ministries (55%)		
Housing and Social Development	30%	706
Children and Family Development	23%	540
Public Safety and Solicitor General	15%	340
Health Services	8%	186
Attorney General	7%	159
Small Business and Revenue	3%	69
Transportation and Infrastructure	3%	61
Environment	2%	56
Forests and Range	2%	51
Other Ministries	7%	156

Commissions and Boards (15%)		
WorkSafeBC	37%	238
BC Housing	12%	78
Public Guardian and Trustee	12%	76
Workers' Compensation Appeal Tribunal	8%	52
BC Ambulance Service	3%	21
Human Rights Tribunal	3%	18
Business Practices and Consumer Protection Authority	3%	17
BC Utilities Commission	2%	15
Labour Relations Board	2%	13
Land Title and Survey Authority	2%	12
BC Pension Corporation	2%	10
Other Commissions and Boards	14%	90

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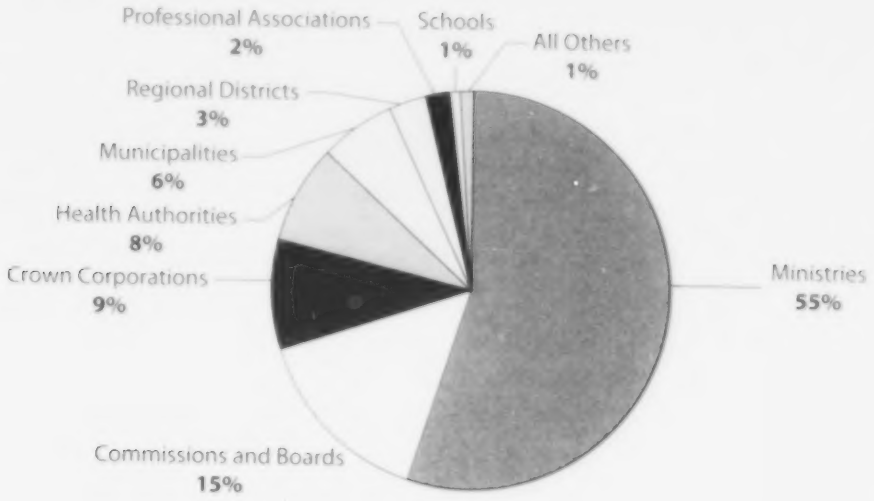

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Attorney General	7%	159
Small Business and Revenue	3%	69
Transportation and Infrastructure	3%	61
Environment	2%	56
Forests and Range	2%	51
Other Ministries	7%	156

Commissions and Boards (15%)		
WorkSafeBC	37%	238
BC Housing	12%	78
Public Guardian and Trustee	12%	76
Workers' Compensation Appeal Tribunal	8%	52
BC Ambulance Service	3%	21
Human Rights Tribunal	3%	18
Business Practices and Consumer Protection Authority	3%	17
BC Utilities Commission	2%	15
Labour Relations Board	2%	13
Land Title and Survey Authority	2%	12
BC Pension Corporation	2%	10
Other Commissions and Boards	14%	90

Crown Corporations (9%)		
ICBC	59%	238
BC Hydro and Power Authority	17%	70
Community Living BC	7%	30
BC Lottery Corporation	7%	28
BC Assessment	6%	24
Other Crown Corporations	4%	16

Health Authorities (8%)		
Vancouver Island Health Authority	29%	101
Fraser Health Authority	19%	66
Interior Health Authority	19%	65
Vancouver Coastal Health Authority	18%	63
Northern Health Authority	9%	32
Provincial Health Services Authority	6%	22

Municipalities (6%)		
City of Vancouver	6%	16
City of Nanaimo	5%	13
City of Chilliwack	4%	12
City of Surrey	3%	9
City of Victoria	3%	9
City of Richmond	3%	8
Municipality of North Cowichan	3%	8
Other Municipalities	73%	196

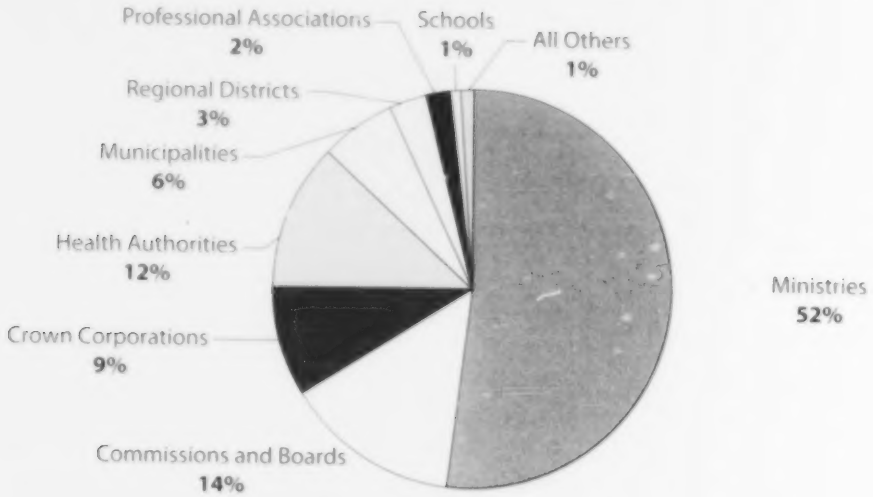
Regional Districts (3%)		
Capital Regional District	17%	19
Cariboo Regional District	15%	16
Thompson-Nicola Regional District	8%	9
Fraser Valley Regional District	6%	7
Nanaimo Regional District	6%	7
Other Regional Districts	48%	51

Professional Associations (2%)		
College of Physicians and Surgeons of BC	40%	41
Law Society of British Columbia	28%	29
College of Dental Surgeons of BC	6%	6
College of Psychologists of BC	4%	4
College of Teachers	4%	4
Other Professional Associations	18%	19

Schools and School Boards (1%)		
School District 08 (Kootenay Lake)	8%	5
School District 35 (Langley)	8%	5
School District 61 (Greater Victoria)	7%	4
Other School Districts	77%	48

All Others (1%)		
Universities	49%	24
Colleges	39%	19
Improvement Districts	6%	3
Libraries	6%	3

Files Opened in 2008/09
Authority Distribution



Total Jurisdictional Files Opened in 2008/09: 4,761

Minis : (52%)		
Housing and Social Development	30%	742
Children and Family Development	24%	588
Public Safety and Solicitor General	14%	345
Health Services	8%	191
Attorney General	7%	167
Small Business and Revenue	3%	65
Transportation and Infrastructure	2%	61
Small Business and Revenue	2%	56
Finance	2%	48
Forests and Range	2%	48
Other Ministries	6%	136

Commissions and Boards (14%)		
WorkSafeBC	35%	241
BC Housing	12%	84
Public Guardian and Trustee	12%	82
Workers' Compensation Appeal Tribunal	8%	51
BC Ambulance Service	4%	25
Human Rights Tribunal	3%	19
BC Utilities Commission	3%	18
Business Practices And Consumer Protection Authority	3%	17
Labour Relations Board	2%	13
Provincial Agricultural Land Commission	2%	13
Land Title and Survey Authority	2%	12
BC Pension Corporation	2%	11
Other Commissions and Boards	12%	94

Statistics

Crown Corporations (9%)		
ICBC	59%	238
BC Hydro and Power Authority	17%	70
Community Living BC	7%	30
BC Lottery Corporation	7%	28
BC Assessment	6%	24
Other Crown Corporations	4%	16

Health Authorities (8%)		
Vancouver Island Health Authority	29%	101
Fraser Health Authority	19%	66
Interior Health Authority	19%	65
Vancouver Coastal Health Authority	18%	63
Northern Health Authority	9%	32
Provincial Health Services Authority	6%	22

Municipalities (6%)		
City of Vancouver	6%	16
City of Nanaimo	5%	13
City of Chilliwack	4%	12
City of Surrey	3%	9
City of Victoria	3%	9
City of Richmond	3%	8
Municipality of North Cowichan	3%	8
Other Municipalities	73%	196

Regional Districts (3%)		
Capital Regional District	17%	19
Cariboo Regional District	15%	16
Thompson-Nicola Regional District	8%	9
Fraser Valley Regional District	6%	7
Nanaimo Regional District	6%	7
Other Regional Districts	48%	51

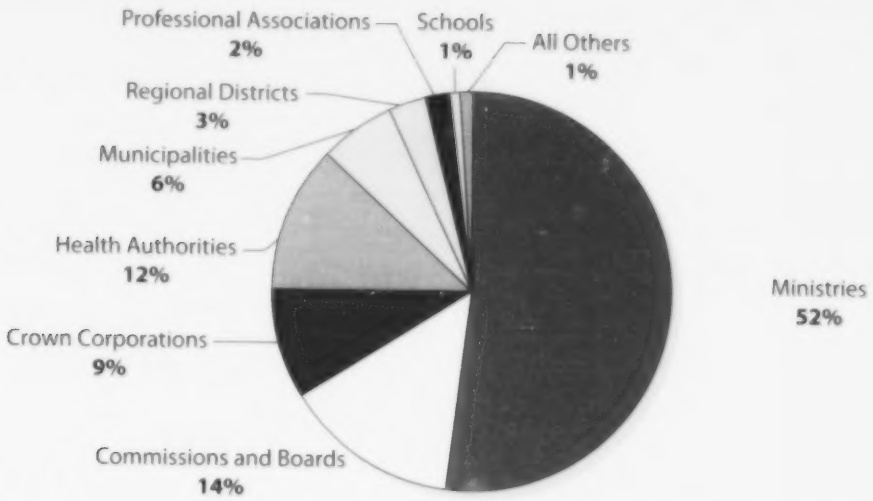
Professional Associations (2%)		
College of Physicians and Surgeons of BC	40%	41
Law Society of British Columbia	28%	29
College of Dental Surgeons of BC	6%	6
College of Psychologists of BC	4%	4
College of Teachers	4%	4
Other Professional Associations	18%	19

Schools and School Boards (1%)		
School District 08 (Kootenay Lake)	8%	5
School District 35 (Langley)	8%	5
School District 61 (Greater Victoria)	7%	4
Other School Districts	77%	48

All Others (1%)		
Universities	49%	24
Colleges	39%	19
Improvement Districts	6%	3
Libraries	6%	3

Statistics

Files Opened in 2008/09
Authority Distribution



Total Jurisdictional Files Opened in 2008/09: 4,761

Ministries (52%)		
Housing and Social Development	30%	742
Children and Family Development	24%	588
Public Safety and Solicitor General	14%	345
Health Services	8%	191
Attorney General	7%	167
Small Business and Revenue	3%	65
Transportation and Infrastructure	2%	61
Small Business and Revenue	2%	56
Finance	2%	48
Forests and Range	2%	48
Other Ministries	6%	136

Commissions and Boards (14%)		
WorkSafeBC	35%	241
BC Housing	12%	84
Public Guardian and Trustee	12%	82
Workers' Compensation Appeal Tribunal	8%	51
BC Ambulance Service	4%	25
Human Rights Tribunal	3%	19
BC Utilities Commission	3%	18
Business Practices And Consumer Protection Authority	3%	17
Labour Relations Board	2%	13
Provincial Agricultural Land Commission	2%	13
Land Title and Survey Authority	2%	12
BC Pension Corporation	2%	11
Other Commissions and Boards	12%	94

Health Authorities (12%)		
Vancouver Island Health Authority	35%	202
Fraser Health Authority	21%	119
Interior Health Authority	18%	101
Vancouver Coastal Health Authority	15%	83
Northern Health Authority	7%	42
Provincial Health Services Authority	4%	23

Crown Corporations (9%)		
ICBC	59%	241
BC Hydro and Power Authority	17%	71
Community Living BC	8%	34
BC Lottery Corporation	6%	26
BC Assessment	6%	24
Other Crown Corporations	4%	17

Municipalities (6%)		
City of Vancouver	6%	18
City of Chilliwack	5%	14
City of Surrey	4%	13
City of Nanaimo	4%	12
City of Richmond	4%	11
City of Victoria	3%	10
Other Municipalities	74%	226

Regional Districts (3%)		
Capital Regional District	18%	20
Cariboo Regional District	17%	19
Cwoichan Valley Regional District	8%	9
Thompson-Nicola Regional District	7%	8
Other Regional Districts	50%	58

Professional Associations (2%)		
College of Physicians and Surgeons of BC	37%	40
Law Society of British Columbia	29%	31
College of Dental Surgeons of BC	6%	7
College of Teachers	6%	6
Other Professional Associations	22%	24

Schools and School Boards (1%)		
School District 08 (Kootenay Lake)	9%	6
School District 35 (Langley)	8%	5
School District 68 (Nanaimo-Ladysmith)	8%	5
Other School Districts	75%	50

All Others (1%)		
Universities	46%	27
Colleges	40%	24
Improvement Districts	7%	4
Libraries	7%	4

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01-Apr-2008	Requests for Information	Files Opened	Files Closed								Files Open as of 31-Mar-2009
				Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed	Total Files Closed	
Ministries	**212**	**665**	**2447**	**582**	**173**	**1095**	**338**	**220**	**3**	**2411**	**2324**	**345**
Aboriginal Relations and Reconciliation	0	0	1	0	0	1	0	0	0	1	1	0
Advanced Education and Labour Market Development	2	0	34	8	1	10	5	7	0	31	29	8
Agriculture and Lands	4	0	19	7	1	12	0	2	0	22	21	2
Attorney General	11	21	167	33	10	87	20	14	0	164	159	20
Children and Family Development	44	25	588	107	8	358	53	31	0	557	540	92
Community Development	6	2	16	8	0	7	3	1	0	19	19	3
Education	2	1	5	1	0	1	1	2	0	5	5	2
Energy, Mines and Petroleum Resources	2	1	15	4	0	5	1	3	0	13	13	4
Environment	13	4	65	22	2	16	11	6	1	58	56	22
Finance	4	4	48	2	1	6	11	3	0	23	22	30
Forests and Range	11	88	48	25	2	18	4	2	0	51	51	8
Health Services	33	10	191	48	1	59	57	28	1	194	186	40
Healthy Living and Sport	1	1	2	0	0	0	0	0	1	1	1	2
Housing and Social Development	31	296	742	174	141	278	98	46	0	737	706	73
Labour and Citizens' Services	1	115	36	18	0	10	6	5	0	39	36	1
Public Safety and Solicitor General	17	89	345	84	2	182	32	52	0	352	340	22
Small Business and Revenue	14	4	56	20	3	19	22	6	0	70	69	1
Small Business, Technology and Economic Development	0	0	2	1	0	1	0	0	0	2	2	0
Tourism, Culture and the Arts	2	0	6	4	1	2	0	0	0	7	7	1
Transportation and Infrastructure	14	4	61	16	0	23	14	12	0	65	61	14
Commissions and Boards	**77**	**556**	**680**	**212**	**48**	**236**	**91**	**88**	**0**	**675**	**640**	**118**
BC Ambulance Service	2	0	25	4	0	5	10	2	0	21	21	6
BC Farm Industry Review Board	0	0	6	1	0	2	0	0	0	3	3	3
BC Housing	4	9	84	14	1	53	6	5	0	79	78	10
BC Review Board	0	0	1	1	0	0	0	0	0	1	1	0
BC Safety Authority	0	1	5	3	0	1	1	0	0	5	5	0
BC Securities Commission	0	1	7	1	1	3	0	0	0	5	5	2
BC Utilities Commission	2	32	18	11	0	1	3	0	0	15	15	5
Board of Examiners in Optometry	0	0	1	1	0	0	0	0	0	1	1	0
Board of Hearing Aid Dealers and Consultants	0	0	1	1	0	0	0	0	0	1	1	0
British Columbia Unclaimed Property Society	1	0	0	0	0	0	0	1	0	1	1	0
Business Practices & Consumer Protection Authority	0	436	17	13	0	3	1	0	0	17	17	0

Statistics

Health Authorities (12%)		
Vancouver Island Health Authority	35%	202
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Interior Health Authority	18%	101
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BC Assessment	6%	24
Other Crown Corporations	4%	17

Municipalities (6%)		
City of Vancouver	6%	18
City of Chilliwack	5%	14
City of Surrey	4%	13
City of Nanaimo	4%	12
City of Richmond	4%	11
City of Victoria	3%	10
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College of Teachers	6%	6
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Schools and School Boards (1%)		
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Other School Districts	75%	50

All Others (1%)		
Universities	46%	27
Colleges	40%	24
Improvement Districts	7%	4
Libraries	7%	4

Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Apr 2008	Requests for Information	Files Opened	Files Closed								Files Open as of 31 Mar 2009
				Enquiries	Declined (s.10, 11)	Refused, Ceased (discretion) (s.13)	Settled under s.14 (s.15(1))	Not Substantiated (s.22)	Findings: Substantiated (s.23)	Total Matters Closed	Total Files Closed	
Ministries	**212**	**665**	**2447**	**582**	**173**	**1095**	**338**	**220**	**3**	**2611**	**2330**	**348**
Aboriginal Relations and Reconciliation	0	0	1	0	0	1	0	0	0	1	1	0
Advanced Education and Labour Market Development	2	0	34	8	1	10	5	7	0	31	29	8
Agriculture and Lands	4	0	19	7	1	12	0	2	0	22	21	2
Attorney General	11	21	167	33	10	87	20	14	0	164	159	20
Children and Family Development	44	25	588	107	8	358	53	31	0	557	540	92
Community Development	6	2	16	8	0	7	3	1	0	19	19	3
Education	2	1	5	1	0	1	1	2	0	5	5	2
Energy, Mines and Petroleum Resources	2	1	15	4	0	5	1	3	0	13	13	4
Environment	13	4	65	22	2	16	11	6	1	58	56	22
Finance	4	4	48	2	1	6	11	3	0	23	22	30
Forests and Range	11	88	48	25	2	18	4	2	0	51	51	8
Health Services	33	10	191	48	1	59	57	28	1	194	186	40
Healthy Living and Sport	1	1	2	0	0	0	0	0	1	1	1	2
Housing and Social Development	31	296	742	174	141	278	98	46	0	737	706	73
Labour and Citizens' Services	1	115	36	18	0	10	6	5	0	39	36	1
Public Safety and Solicitor General	17	89	345	84	2	182	32	52	0	352	340	22
Small Business and Revenue	14	4	56	20	3	19	22	6	0	70	69	1
Small Business, Technology and Economic Development	0	0	2	1	0	1	0	0	0	2	2	0
Tourism, Culture and the Arts	2	0	6	4	1	2	0	0	0	7	7	1
Transportation and Infrastructure	14	4	61	16	0	23	14	12	0	65	61	14
Commissions and Boards	**77**	**556**	**680**	**212**	**48**	**236**	**91**	**88**	**0**	**675**	**640**	**118**
BC Ambulance Service	2	0	25	4	0	5	10	2	0	21	21	6
BC Farm Industry Review Board	0	0	6	1	0	2	0	0	0	3	3	3
BC Housing	4	9	84	14	1	53	6	5	0	79	78	10
BC Review Board	0	0	1	1	0	0	0	0	0	1	1	0
BC Safety Authority	0	1	5	3	0	1	1	0	0	5	5	0
BC Securities Commission	0	1	7	1	1	3	0	0	0	5	5	2
BC Utilities Commission	2	32	18	11	0	1	3	0	0	15	15	5
Board of Examiners in Optometry	0	0	1	1	0	0	0	0	0	1	1	0
Board of Hearing Aid Dealers and Consultants	0	0	1	1	0	0	0	0	0	1	1	0
British Columbia Unclaimed Property Society	1	0	0	0	0	0	0	1	0	1	1	0
Business Practices & Consumer Protection Authority	0	436	17	13	0	3	1	0	0	17	17	0

Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01-Apr-2008	Requests for Information	Files Opened	Files Closed								Files Open as of 31-Mar-2009
				Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.15(1)(a))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed	Total Files Closed	
College Pension Board of Trustees	0	0	2	0	0	0	1	1	0	2	1	1
Community Care and Assisted Living Appeal Board	0	0	1	1	0	0	0	0	0	1	1	0
Coroners Service	0	0	9	1	1	3	0	0	0	5	5	4
Emergency Medical Assistants Licensing Board	1	0	1	0	0	2	0	0	0	2	2	0
Employment Standards Tribunal	0	0	2	1	0	0	0	0	0	1	1	1
Employment and Assistance Appeal Tribunal	1	0	10	1	0	6	0	1	0	8	8	3
Environmental Appeal Board	0	0	1	1	0	0	0	0	0	1	1	0
Financial Institutions Commission	2	5	4	0	0	4	0	0	0	4	4	2
Forest Appeals Commission	0	0	1	0	0	0	0	1	0	1	1	0
Forest Practices Board	1	0	0	0	0	0	0	0	0	0	0	1
Human Rights Tribunal	1	22	19	9	0	7	0	2	0	18	18	2
Industry Training Appeal Board	0	0	1	0	0	0	1	0	0	1	1	0
Industry Training Authority	1	0	3	0	0	1	1	0	0	2	2	2
Insurance Council of BC	0	0	2	0	0	1	0	1	0	2	2	0
Labour Relations Board	0	30	13	10	0	2	0	1	0	13	13	0
Land Title and Survey Authority	1	0	12	3	0	4	2	5	0	14	12	1
Mediation and Arbitration Board	0	0	1	0	0	0	0	0	0	0	0	1
Medical Services Commission	0	0	2	1	0	2	0	0	0	3	2	0
Motor Dealer Customer Compensation Fund Board	0	0	1	0	0	0	0	1	0	1	1	0
Motor Vehicle Sales Authority of BC	0	2	6	2	0	2	1	0	0	5	5	1
Municipal Pension Board of Trustees	0	0	2	0	0	1	0	0	0	1	1	1
Passenger Transportation Board	1	0	1	0	0	2	0	0	0	2	2	0
Pension Corporation	3	2	11	2	0	3	3	3	0	11	10	4
Premier's Office	0	0	6	2	0	1	2	0	0	5	5	1
Private Career Training Institutions Agency	1	5	3	2	0	0	1	0	0	3	3	1
Property Assessment Appeal Board	0	0	4	1	0	0	1	5	0	7	4	0
Provincial Agricultural Land Commission	1	0	13	3	1	6	0	1	0	11	9	5
Public Guardian and Trustee	9	3	82	21	1	37	14	13	0	86	76	15
Public Service Pension Board of Trustees	0	0	1	0	0	0	0	0	0	0	0	1
Real Estate Council	5	6	3	1	0	2	0	7	0	10	7	1
Teachers' Pension Board of Trustees	0	0	1	0	0	1	0	0	0	1	1	0
Translink	0	0	5	2	0	2	0	0	0	4	4	1

Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Apr 2008	Requests for Information	Files Opened	Files Closed								Files Open as of 31 Mar 2009
				Enquiries	Declined (s.10, 11)	Refused (ceased (discretion) (s.13)	Settled under s.14 (s.15(1))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed	Total Files Closed	
Workers' Compensation Appeal Tribunal	10	0	51	13	3	24	1	11	0	52	52	9
WorkSafeBC	30	2	241	85	40	55	42	27	0	249	238	34
Crown Corporations	**44**	**96**	**413**	**105**	**9**	**227**	**46**	**41**	**0**	**428**	**406**	**53**
BC Assessment	2	1	24	11	3	5	5	1	0	25	24	2
BC Hydro and Power Authority	7	19	71	14	0	46	6	8	0	74	70	9
BC Lottery Corporation	6	0	26	9	1	9	5	8	0	32	28	4
BC Transit	1	1	4	1	0	1	2	1	0	5	5	0
BC Transmission Corporation	1	0	2	0	0	1	0	0	0	1	1	2
Community Living BC	9	0	34	9	0	9	12	3	0	33	30	13
Homeowner Protection Office	0	0	8	3	0	1	1	2	0	7	7	1
ICBC	17	75	241	57	5	154	15	17	0	248	238	21
Oil and Gas Commission	0	0	1	0	0	1	0	0	0	1	1	0
Tourism BC	1	0	2	1	0	0	0	1	0	2	2	1
Municipalities	**49**	**11**	**304**	**77**	**6**	**152**	**22**	**32**	**0**	**289**	**271**	**82**
Bowen Island Municipality	0	0	1	1	0	0	0	0	0	1	1	0
City of Abbotsford	8	1	5	0	0	3	0	0	0	3	3	10
City of Armstrong	1	0	1	0	0	1	0	1	0	2	2	0
City of Burnaby	1	0	2	1	0	2	1	0	0	4	3	0
City of Campbell River	1	0	3	1	0	1	0	2	0	4	4	0
City of Chilliwack	0	2	14	2	0	9	1	1	0	13	12	2
City of Colwood	0	0	4	1	0	2	1	0	0	4	4	0
City of Coquitlam	0	0	7	1	0	4	1	1	0	7	7	0
City of Courtenay	0	0	1	0	0	1	0	0	0	1	1	0
City of Cranbrook	0	0	1	0	0	1	0	0	0	1	1	0
City of Fort St. John	0	0	2	0	0	1	0	0	0	1	1	1
City of Kamloops	0	0	3	0	0	1	0	0	0	1	1	2
City of Kelowna	0	1	7	1	1	1	0	2	0	5	5	2
City of Kimberley	1	0	3	0	1	1	0	1	0	3	3	1
City of Langford	1	0	2	1	0	0	1	1	0	3	2	1
City of Langley	0	0	2	0	0	1	0	0	0	1	1	1
City of Merritt	0	0	1	0	0	0	0	0	0	0	0	1
City of Nanaimo	4	2	12	5	0	6	1	1	0	13	13	3
City of Nelson	0	0	5	4	0	1	0	2	0	7	5	0
City of New Westminster	0	0	7	1	0	5	1	2	0	9	7	0
City of Penticton	0	1	1	0	0	1	0	0	0	1	1	0
City of Pitt Meadows	0	0	1	0	0	1	0	0	0	1	1	0
City of Port Alberni	1	0	4	0	0	3	0	0	0	3	3	2

Statistics

Authorities by Section of the Schedule to the Ombudsman Act	Files Open as of 01 Apr 2008	Requests for Information	Files Opened	Files Closed								Files Open as of 31 Mar 2009
				Enquiries	Declined (s.10, 11)	Refused, Ceased (discretion) (s.13)	Settled under s.14 (s.11(a))	Not substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed	Total Files Closed	
City of Powell River	1	0	1	1	0	0	1	0	0	2	2	0
City of Prince George	2	0	2	0	0	4	0	0	0	4	3	1
City of Prince Rupert	1	0	1	0	0	1	0	1	0	2	2	0
City of Quesnel	0	0	3	0	0	3	0	0	0	3	2	1
City of Revelstoke	0	0	1	0	0	0	0	0	0	0	0	1
City of Richmond	0	0	11	4	0	4	0	0	0	8	8	3
City of Rossland	1	0	1	0	0	1	0	1	0	2	2	0
City of Salmon Arm	0	0	3	1	0	0	0	0	0	1	1	2
City of Surrey	1	0	13	2	1	6	0	0	0	9	9	5
City of Terrace	0	0	3	1	0	1	0	0	0	2	2	1
City of Trail	1	0	6	1	0	5	2	0	0	8	7	0
City of Vancouver	1	0	18	4	0	9	2	1	0	16	16	3
City of Vernon	1	0	3	1	0	3	1	0	0	5	4	0
City of Victoria	0	1	10	1	0	7	1	0	0	9	9	1
City of Williams Lake	0	0	1	0	0	1	0	0	0	1	1	0
Corporation of Delta	1	0	6	2	0	2	0	1	0	5	5	2
District of 100 Mile House	0	1	1	0	0	0	0	0	0	0	0	1
District of Central Saanich	0	0	3	2	0	1	0	0	0	3	3	0
District of Coldstream	0	0	4	2	0	1	0	0	0	3	3	1
District of Elkford	0	0	1	0	0	0	0	0	0	0	0	1
District of Hope	2	0	3	0	0	2	2	1	0	5	3	2
District of Houston	0	0	2	1	0	1	0	0	0	2	2	0
District of Invermere	0	0	1	1	0	0	0	0	0	1	1	0
District of Kent	2	0	1	1	0	1	1	1	0	4	3	0
District of Kitimat	0	0	2	0	0	2	0	1	0	3	2	0
District of Lake Country	0	0	6	3	0	2	0	0	0	5	5	1
District of Lantzville	0	0	1	0	0	0	0	0	0	0	0	1
District of Lillooet	0	0	2	0	1	1	0	0	0	2	2	0
District of Maple Ridge	0	0	6	0	0	5	0	0	0	5	5	1
District of Metchosin	0	0	1	0	0	1	0	0	0	1	1	0
District of Mission	0	1	7	2	0	2	0	0	0	4	4	3
District of North Saanich	1	0	1	0	0	1	0	1	0	2	2	0
District of North Vancouver	0	0	4	1	0	3	0	0	0	4	4	0
District of Oak Bay	0	0	3	0	0	2	0	1	0	3	3	0
District of Peachland	0	0	1	0	0	1	0	0	0	1	1	0
District of Saanich	0	0	8	2	0	4	0	1	0	7	7	1
District of Sechelt	1	0	5	3	0	2	0	0	0	5	5	1
District of Sicamous	0	0	1	1	0	0	0	0	0	1	1	0

Statistics

Authorities by Section of the Schedule to the Ombudsman Act	Files Open as of 01 Apr 2008	Requests for Information	Files Opened	Files Closed								Files Open as of 31 Mar 2009
				Enquiries	Declined (s.10.1)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.15(1))	Not substantiated (s.22)	Findings substantiated (s.23)	Total Matters Closed	Total Files Closed	
District of Sooke	1	0	4	0	0	2	2	1	0	5	4	1
District of Squamish	1	1	4	0	0	3	0	0	0	3	3	2
District of Stewart	0	0	1	0	0	0	0	0	0	0	0	1
District of Summerland	1	0	0	0	0	0	0	2	0	2	1	0
District of Tofino	0	0	5	2	0	1	0	0	0	3	3	2
District of Tumbler Ridge	1	0	1	0	0	0	1	0	0	1	1	1
District of Ucluelet	1	0	0	0	0	0	1	0	0	1	1	0
District of Wells	0	0	1	0	0	1	0	0	0	1	1	0
District of West Vancouver	0	0	1	0	0	1	0	0	0	1	1	0
District of Westside	0	0	3	2	0	1	0	0	0	3	3	0
Municipality of North Cowichan	1	0	8	3	1	4	0	0	0	8	8	1
Resort Municipality of Whistler	0	0	2	1	0	0	0	1	0	2	2	0
Town of Comox	0	0	4	3	0	0	0	0	0	3	3	1
Town of Gibsons	0	0	1	0	0	1	0	0	0	1	1	0
Town of Ladysmith	1	0	0	0	0	0	1	0	0	1	1	0
Town of Oliver	0	0	1	0	0	0	0	0	0	0	0	1
Town of Osoyoos	0	0	1	0	0	1	0	0	0	1	1	0
Town of Princeton	0	0	1	1	0	0	0	0	0	1	1	0
Town of Qualicum Beach	0	0	1	0	0	1	0	0	0	1	1	0
Town of Sidney	0	0	1	1	0	0	0	0	0	1	1	0
Town of Smithers	1	0	0	0	0	0	0	0	0	0	0	1
Town of View Royal	0	0	1	1	0	0	0	0	0	1	1	0
Township of Langley	2	0	1	1	0	0	0	1	0	2	2	1
Township of Spallumcheen	0	0	4	2	0	1	0	2	0	5	4	0
Village of Anmore	0	0	1	0	0	1	0	0	0	1	1	0
Village of Ashcroft	0	0	1	1	0	0	0	0	0	1	1	0
Village of Chase	0	0	2	0	0	0	0	0	0	0	0	2
Village of Granisle	0	0	2	0	0	0	0	0	0	0	0	2
Village of Harrison Hot Springs	0	0	1	0	0	0	0	0	0	0	0	1
Village of Keremeos	1	0	0	0	0	0	0	0	0	0	0	1
Village of Lumby	0	0	1	0	0	1	0	0	0	1	1	0
Village of Midway	0	0	2	2	0	0	0	0	0	2	2	0
Village of Nakusp	1	0	0	0	0	0	0	1	0	1	1	0
Village of Port Clements	0	0	1	0	0	0	0	0	0	0	0	1
Village of Pouce Coupe	0	0	2	0	0	1	0	0	0	1	1	1
Village of Queen Charlotte	0	0	1	0	0	1	0	0	0	1	1	0
Village of Radium Hot Springs	0	0	1	0	0	1	0	0	0	1	1	0
Village of Slocan	1	0	1	0	0	1	0	0	0	1	1	1

Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01-Apr-2008	Requests for Information	Files Opened	Files Closed								Files Open as of 31-Mar-2009
				Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings: Substantiated (s.23)	Total Matters Closed	Total Files Closed	
Village of Tahsis	2	0	1	0	1	2	0	0	0	3	3	0
Village of Telkwa	0	0	1	0	0	1	0	0	0	1	1	0
Village of Valemount	0	0	3	1	0	0	0	0	0	1	1	2
Village of Zeballos	0	0	1	0	0	1	0	0	0	1	1	0
Regional Districts	**14**	**4**	**114**	**28**	**2**	**61**	**8**	**17**	**0**	**116**	**109**	**19**
Alberni-Clayoquot Regional District	0	0	3	1	0	1	0	0	0	2	2	1
Capital Regional District	1	0	20	6	0	10	2	1	0	19	19	2
Cariboo Regional District	0	1	19	4	1	8	1	2	0	16	16	3
Central Coast Regional District	0	0	1	0	0	1	0	0	0	1	1	0
Central Kootenay Regional District	0	0	4	1	0	1	0	3	0	5	4	0
Central Okanagan Regional District	0	0	5	1	0	3	0	0	0	4	4	1
Columbia-Shuswap Regional District	2	0	3	1	0	3	1	1	0	6	5	0
Comox Valley Regional District	1	0	3	0	0	2	2	0	0	4	4	0
Cowichan Valley Regional District	1	0	9	3	0	2	0	0	0	5	5	5
Fraser Valley Regional District	2	0	5	2	0	3	0	2	0	7	7	0
Fraser-Fort George Regional District	0	0	3	1	0	1	0	0	0	2	2	1
Greater Vancouver Regional District	3	1	1	0	0	3	1	2	0	6	4	0
Kootenay Boundary Regional District	1	0	5	2	0	2	0	1	0	5	5	1
Mount Waddington Regional District	0	0	2	0	0	1	0	1	0	2	2	0
Nanaimo Regional District	0	1	7	1	0	5	0	4	0	10	7	0
North Okanagan Regional District	0	1	6	1	0	3	0	0	0	4	4	2
Okanagan-Similkameen Regional District	0	0	5	1	0	1	0	0	0	2	2	3
Peace River Regional District	1	0	1	0	0	1	1	0	0	2	2	0
Skeena-Queen Charlotte Regional District	1	0	1	0	1	1	0	0	0	2	2	0
Squamish-Lillooet Regional District	0	0	1	0	0	1	0	0	0	1	1	0
Sunshine Coast Regional District	0	0	2	1	0	1	0	0	0	2	2	0
Thompson-Nicola Regional District	1	0	8	2	0	7	0	0	0	9	9	0
Improvement Districts	**2**	**0**	**4**	**0**	**0**	**3**	**0**	**0**	**0**	**3**	**3**	**3**
Beaver Creek Improvement District	1	0	1	0	0	2	0	0	0	2	2	0
Bridesville Waterworks District	0	0	1	0	0	1	0	0	0	1	1	0
Cherry Creek Waterworks District	0	0	1	0	0	0	0	0	0	0	0	1
Cowichan Bay Waterworks District	0	0	1	0	0	0	0	0	0	0	0	1
Gillies Bay Improvement District	1	0	0	0	0	0	0	0	0	0	0	1
Libraries	**0**	**0**	**4**	**3**	**0**	**0**	**0**	**0**	**0**	**3**	**3**	**1**

Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Apr 2008	Requests for Information	Files Opened	Files Closed								Files Open as of 31 Mar 2009
				Enquiries	Declined (s.10, 11)	Refused/Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings: Substantiated (s.23)	Total Matters Closed	Total Files Closed	
Beaver Valley Public Library	0	0	1	0	0	0	0	0	0	0	0	1
Burnaby Public Library	0	0	1	1	0	0	0	0	0	1	1	0
Fort St. John Public Library	0	0	1	1	0	0	0	0	0	1	1	0
Vancouver Public Library	0	0	1	1	0	0	0	0	0	1	1	0
Schools and School Boards	**13**	**1**	**66**	**15**	**0**	**32**	**11**	**9**	**0**	**67**	**62**	**17**
School District 05 (Southeast Kootenay)	0	0	1	0	0	0	0	2	0	2	1	0
School District 06 (Rocky Mountain)	0	0	1	0	0	1	0	0	0	1	1	0
School District 08 (Kootenay Lake)	0	0	6	1	0	3	1	0	0	5	5	1
School District 10 (Arrow Lakes)	1	0	0	0	0	1	0	0	0	1	1	0
School District 20 (Kootenay-Columbia)	1	0	1	0	0	1	1	0	0	2	2	0
School District 27 (Cariboo-Chilcotin)	0	0	1	0	0	1	0	0	0	1	1	0
School District 28 (Quesnel)	0	0	1	1	0	0	0	0	0	1	1	0
School District 33 (Chilliwack)	0	0	1	0	0	0	0	0	0	0	0	1
School District 35 (Langley)	1	0	5	1	0	4	0	0	0	5	5	1
School District 36 (Surrey)	0	1	2	1	0	0	0	0	0	1	1	1
School District 38 (Richmond)	1	0	2	1	0	1	1	0	0	3	3	0
School District 39 (Vancouver)	0	0	3	1	0	2	0	0	0	3	3	0
School District 40 (New Westminster)	0	0	1	0	0	0	0	0	0	0	0	1
School District 41 (Burnaby)	0	0	3	3	0	0	0	0	0	3	3	0
School District 42 (Maple Ridge-Pitt Meadows)	0	0	2	0	0	2	0	0	0	2	2	0
School District 43 (Coquitlam)	0	0	2	0	0	1	1	0	0	2	2	0
School District 54 (Bulkley Valley)	0	0	2	0	0	1	1	0	0	2	2	0
School District 57 (Prince George)	0	0	2	1	0	1	0	0	0	2	2	0
School District 59 (Peace River South)	0	0	1	0	0	1	0	0	0	1	1	0
School District 61 (Greater Victoria)	2	0	3	1	0	1	2	1	0	5	4	1
School District 62 (Sooke)	1	0	1	0	0	0	2	1	0	3	2	0
School District 63 (Saanich)	0	0	1	0	0	1	0	0	0	1	1	0
School District 68 (Nanaimo-Ladysmith)	2	0	5	1	0	1	1	0	0	3	2	5
School District 69 (Qualicum)	0	0	2	1	0	1	0	0	0	2	2	0
School District 70 (Alberni)	0	0	1	0	0	1	0	0	0	1	1	0
School District 71 (Comox Valley)	0	0	2	0	0	0	0	1	0	1	1	1
School District 72 (Campbell River)	0	0	2	1	0	1	0	0	0	2	2	0

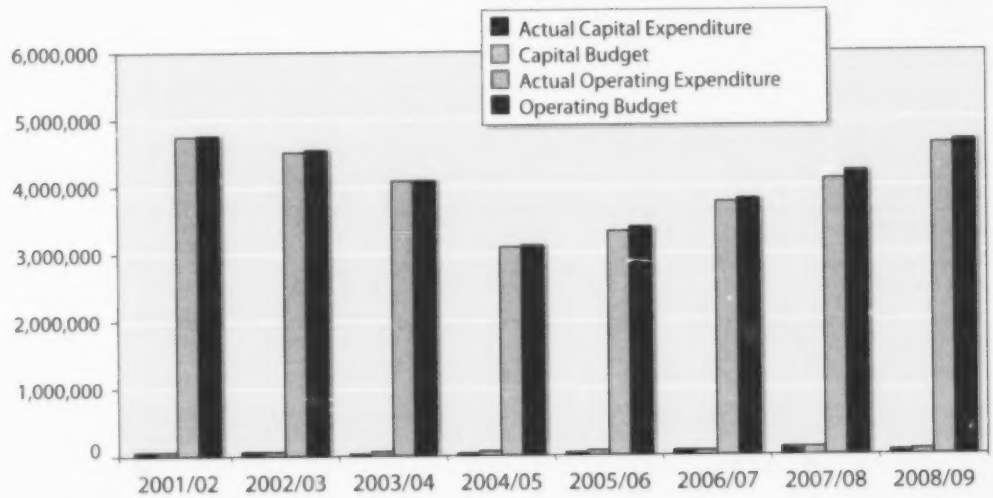
Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Apr 2008	Requests for Information	Files Opened	Files Closed								Files Open as of 31 Mar 2009
				Enquiries	Declined (s.10, 11)	Refused Ceased (discretion) (s.13)	Settled under s.14 (s.13(1))	Not Substantiated (s.22)	Findings: Substantiated (s.23)	Total Matters Closed	Total Files Closed	
School District 73 (Kamloops/ Thompson)	0	0	2	0	0	1	0	0	0	1	1	1
School District 74 (Gold Trail)	0	0	1	0	0	1	0	0	0	1	1	0
School District 75 (Mission)	2	0	0	0	0	1	0	1	0	2	2	0
School District 78 (Fraser-Cascade)	0	0	1	0	0	0	0	1	0	1	1	0
School District 79 (Cowichan Valley)	1	0	2	0	0	2	0	0	0	2	2	1
School District 82 (Coast Mountains)	0	0	1	1	0	0	0	0	0	1	1	0
School District 83 (North Okanagan-Shuswap)	0	0	3	0	0	0	0	0	0	0	0	3
School District 85 (Vancouver Island North)	0	0	2	0	0	1	1	0	0	2	2	0
School District 91 (Nechako Lakes)	1	0	0	0	0	0	0	2	0	2	1	0
Universities	**2**	**0**	**27**	**10**	**0**	**7**	**4**	**8**	**0**	**29**	**24**	**5**
Capilano University	0	0	1	1	0	0	0	0	0	1	1	0
Kwantlen Polytechnic University	0	0	2	1	0	1	0	0	0	2	2	0
Royal Roads University	1	0	0	0	0	0	0	1	0	1	1	0
Simon Fraser University	0	0	2	1	0	0	0	1	0	2	2	0
Thompson Rivers University	0	0	1	0	0	0	0	1	0	1	1	0
University of British Columbia	1	0	6	0	0	4	1	1	0	6	4	3
University of Northern BC	0	0	3	2	0	0	1	2	0	5	3	0
University of the Fraser Valley	0	0	1	1	0	0	0	0	0	1	1	0
Vancouver Island University	0	0	11	4	0	2	2	2	0	10	9	2
Colleges	**8**	**0**	**24**	**8**	**0**	**7**	**3**	**3**	**0**	**21**	**19**	**13**
BC Institute of Technology	0	0	3	2	0	1	0	0	0	3	3	0
Camosun College	2	0	3	1	0	2	0	1	0	4	4	1
College of New Caledonia	0	0	3	1	0	1	1	2	0	5	3	0
College of the Rockies	6	0	3	0	0	0	0	0	0	0	0	9
Douglas College	0	0	4	2	0	1	0	0	0	3	3	1
Langara College	0	0	1	0	0	0	0	0	0	0	0	1
Northern Lights College	0	0	3	0	0	1	2	0	0	3	3	0
Okanagan College	0	0	2	2	0	0	0	0	0	2	2	0
Selkirk College	0	0	1	0	0	1	0	0	0	1	1	0
Vancouver Community College	0	0	1	0	0	0	0	0	0	0	0	1
Professional Associations	**17**	**72**	**108**	**56**	**1**	**31**	**10**	**8**	**0**	**106**	**103**	**22**
Applied Science Technologists & Technicians of BC	1	0	1	0	0	1	1	0	0	2	2	0
Assoc. of Professional Engineers & Geoscientists	0	0	3	1	0	2	0	0	0	3	3	0
Association of Professional Foresters	0	0	2	1	0	0	0	0	0	1	1	1

Statistics

Authorities by Section of the Schedule to the *Ombudsman Act*	Files Open as of 01 Apr 2008	Requests for information	Files Opened	Files Closed								Files Open as of 31 Mar 2009
				Enquiries	Declined (s.10, 11)	Refused (Ceased (discretion) (s.13)	Settled under s.14 (s.13(i))	Not Substantiated (s.22)	Findings Substantiated (s.23)	Total Matters Closed	Total Files Closed	
BC Veterinary Medical Association	0	1	3	2	0	0	0	0	0	2	2	1
Board of Registration for Social Workers	1	0	0	0	0	1	0	0	0	1	1	0
Certified General Accountants Association of BC	0	0	1	0	0	0	0	0	0	0	0	1
College of Dental Surgeons of BC	1	6	7	3	0	2	1	1	0	7	6	2
College of Denturists of BC	0	1	1	1	0	0	0	0	0	1	1	0
College of Licensed Practical Nurses of BC	0	0	3	1	0	1	0	0	0	2	2	1
College of Massage Therapists of BC	1	1	1	1	0	0	0	1	0	2	2	0
College of Opticians of BC	0	1	0	0	0	0	0	0	0	0	0	0
College of Physicians and Surgeons of BC	3	39	40	25	0	11	4	3	0	43	41	2
College of Psychologists of BC	1	1	4	0	0	0	1	1	0	2	2	3
College of Registered Nurses of British Columbia	2	1	2	2	0	2	0	0	0	4	4	0
College of Registered Psychiatric Nurses of BC	0	0	1	1	0	0	0	0	0	1	1	0
College of Teachers	0	0	6	1	1	1	1	0	0	4	4	2
College of Traditional Chinese Medicine Practitioners and Acupuncturists of BC	1	0	1	0	0	2	0	0	0	2	2	0
Institute of Chartered Accountants of BC	0	0	1	0	0	0	0	0	0	0	0	1
Law Society of British Columbia	6	21	31	17	0	8	2	2	0	29	29	8
Health Authorities	**33**	**17**	**570**	**181**	**4**	**117**	**32**	**22**	**5**	**361**	**349**	**255**
Fraser Health Authority	8	5	119	28	0	29	5	5	1	68	66	61
Interior Health Authority	7	4	101	30	0	23	8	5	1	67	65	43
Northern Health Authority	4	0	42	18	0	8	5	3	1	35	32	14
Provincial Health Services Authority	0	0	23	8	1	7	3	5	0	24	22	1
Vancouver Coastal Health Authority	7	3	83	34	1	24	2	2	1	64	63	28
Vancouver Island Health Authority	7	5	202	63	2	26	9	2	1	103	101	108
Jurisdictional Totals	**471**	**1422**	**4761**	**1277**	**243**	**1968**	**565**	**448**	**8**	**4509**	**4313**	**933**
Non-Jurisdictional Totals	**0**	**1276**	**489**	**1**	**487**	**0**	**0**	**0**	**0**	**488**	**488**	**1**
Grand Totals	**471**	**2698**	**5250**	**1278**	**730**	**1968**	**565**	**448**	**8**	**4997**	**4801**	**934**

Budget Summary



Budget Summary

	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	2007/08	2008/09
Actual Capital Expenditure	59,000	58,000	27,000	30,500	35,800	63,000	108,000	53,124
Capital Budget	59,000	59,000	62,000	65,000	65,000	65,000	110,000	75,000
Actual Operating Expenditure	4,750,600	4,516,000	4,086,000	3,093,000	3,326,000	3,761,000	4,100,000	4,624,535
Operating Budget	4,765,000	4,548,000	4,086,000	3,118,000	3,388,000	3,805,000	4,214,000	4,671,000
FTEs	**50**	**50**	**38**	**30**	**34**	**37**	**40**	**45 (33 + 12)**

Notes: The operating budget for 2003/04 includes $36,000 accessed from contingencies to assist with adjustments to leave liability.

The operating budget for 2004/05 includes $20,000 provided in Supplementary Estimates

The operating budget for 2006/07 includes $69,000 provided subsequent to the initial estimates in relation to the general public service salary adjustments.

For 2008/09, we have provided the breakdown of the staff devoted exclusively to Ombudsman activities (33) and those whose services are shared (12).

Staff

Alyne Mochan
Amanda McReynolds
Amanda Welch
Anita Horvath
Anne Graves
Brad Cambrey
Bruce Clarke
Bruce Edmundson
Diana Elliott
Bruce Ronayne
Carly Hyman
Carol Kemeny
Cary Chiu
Christina McMillan
Christine Morris
Craig Anderson
Dale Bryant
Dave Murray
David Gagnon
Debbie Moore
Diana Moffat
Diane Johnston
Dorothy Hayward
Gary Dhaliwal
Gladys Clarke
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Janice Curtis
Jayne Elder
Jennifer Bertsch
Judy Ashbourne
Karen Sawatzky
Karin Heimlich
Katherine Jeakins
Kathy Bannister
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Michelle Dailly
Miranda Moore
Rhonda Brown
Richard Webber
Roberto Alberto
Rochelle Walter
Ross Barlow
Sandi Grant
Sandra Chan
Sarah Barnes
Scott Wingrove
Shera Skinner
Shirley Bond
Susan Berry
Teri Burley
Victor Gardner
Zoe Jackson
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*This list includes part-time staff, and all staff who were with us for only part of the fiscal year.

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